

# Regulatory Overview and Legal Responsibilities

Water is Life. And, sometimes we need regulation to ensure water quality standards are met. This chapter provides an overview of wastewater regulations and how they affect and influence work conducted at your facility.

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Environmental  
Finance  
Center  
*Syracuse University*

## Chapter 4: Regulatory Overview and Legal Responsibilities

### Overview of Water Quality Regulations

Governmental efforts to regulate pollution of the waters of the United States date back as far as the Rivers and Harbors Act of 1899, which made the act of discharging refuse matter into navigable waters and their tributaries without permit unlawful. Known as the oldest federal environmental law, the Rivers and Harbor Act still retains independent vitality. However, the effects of the industrial revolution and rapid population growth on the nation's waterways signaled that more was required to maintain healthy and pure waters, and to restore those that had become impaired.

To address these pollution concerns, Congress introduced the Federal Water Pollution Control Act (FWPCA) of 1948, the first comprehensive legislation aimed at restoring and maintaining the natural properties of the nation's waters. This act placed greater responsibilities on the states to develop and enact their own water pollution protection guidelines, established state and federal cooperative program development, and limited federal enforcement and financial assistance. A primary focus of the act was on sewage treatment plants, leading early efforts to revolve around "point source" pollution. Since its origin, the FWPCA has been amended numerous times to include and coincide with other acts such as the Water Pollution Control Act of 1956 and the Water Quality Act of 1965. However, the best-known amendments came in 1972 as public awareness and concern regarding polluted water bodies and unhealthy wetlands could no longer remain stagnant.

These 1972 amendments

brought a new name to the Water Pollution Control Act, thereafter commonly known as the Clean Water Act (CWA). The CWA amendments:

- Established the basic structure for regulating pollutants discharges into the waters of the United States.
- Gave USEPA the authority to implement pollution control programs such as setting wastewater standards for industry.
- Maintained existing requirements to set water quality standards for all contaminants in surface waters.
- Made it unlawful for any person to discharge any pollutant from a point source into navigable waters, unless a permit was obtained under its provisions.
- Funded the construction of sewage treatment plants under the construction grants program.
- Recognized the need for planning to address the critical problems posed by nonpoint source pollution." (USEPA, 2012)

The CWA also called for all waterways in the United States to be fishable and available to swim in by 1985. This act has been revised several times since

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**“Regular communication with NYSDEC is encouraged to develop a rapport with the agency and better lines of communication to address permit and compliance issues.”**

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*Sometimes a plant upgrade is needed to maintain SPDES compliance. (Lake Placid)*

its establishment, including funding process changes leading to the Clean Water State Revolving Fund and increased focus on Great Lakes water quality.

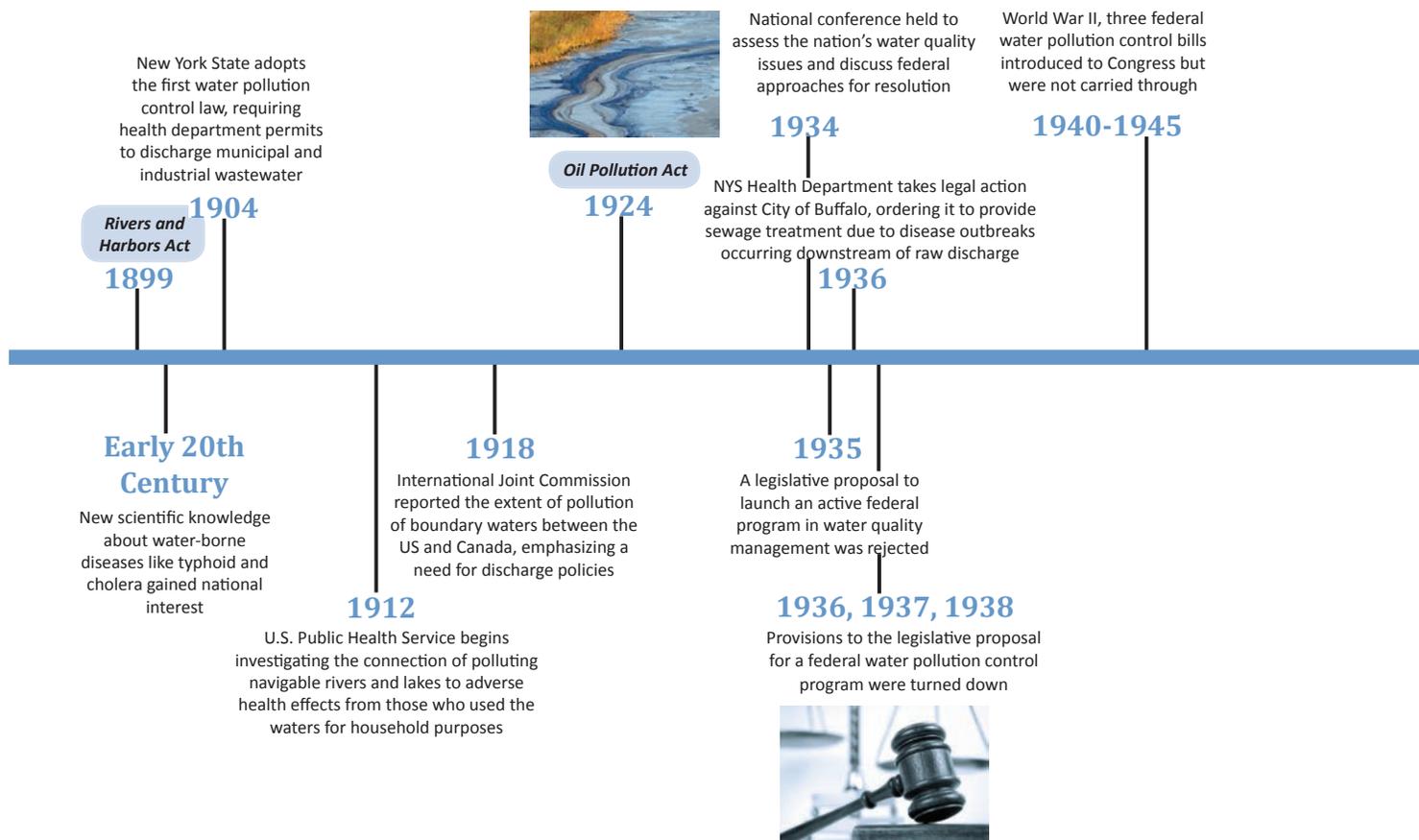
The FWPCA, like many comprehensive environmental laws, contains provisions related to research, grants for construction of treatment works and state water pollution control revolving funds, as well as provisions requiring the establishment of water quality standards and a system to permit the discharge of pollutants to the waters of the United States. That system, the National Pollutant Discharge Elimination System (NPDES), provides the framework within which discharges from municipal, industrial and other pollution sources are regulated. Discharges which are not authorized by or are not in compliance with a permit are illegal and subject the owner and operator to possible enforcement and legal liability.

In enacting FWPCA, Congress authorized the

USEPA to issue detailed regulations to carry out the requirements of the law. Those details are set forth in the Code of Federal Regulations. The USEPA implements the NPDES in states and territories where authority has not been delegated to a state or territory.

New York, which has been authorized by the federal government, has demonstrated a long-standing and vigorous commitment to protection of its waters, which includes 87,000 miles of rivers and streams, over 1,000 square miles of lakes and ponds, and over 400 miles of Great Lakes coastlines. These efforts date back to 1953 with the Department of Health’s Pure Waters Program and certification of wastewater treatment plant operators in 1937. In 1972, the New York legislature enacted the modern version of the state’s Water Pollution Control Act, which is codified in the New York Environmental Conservation Law (ECL). Article 17 of the ECL authorizes the New York State Department of

## National and Statewide Wastewater Regulation Timeline

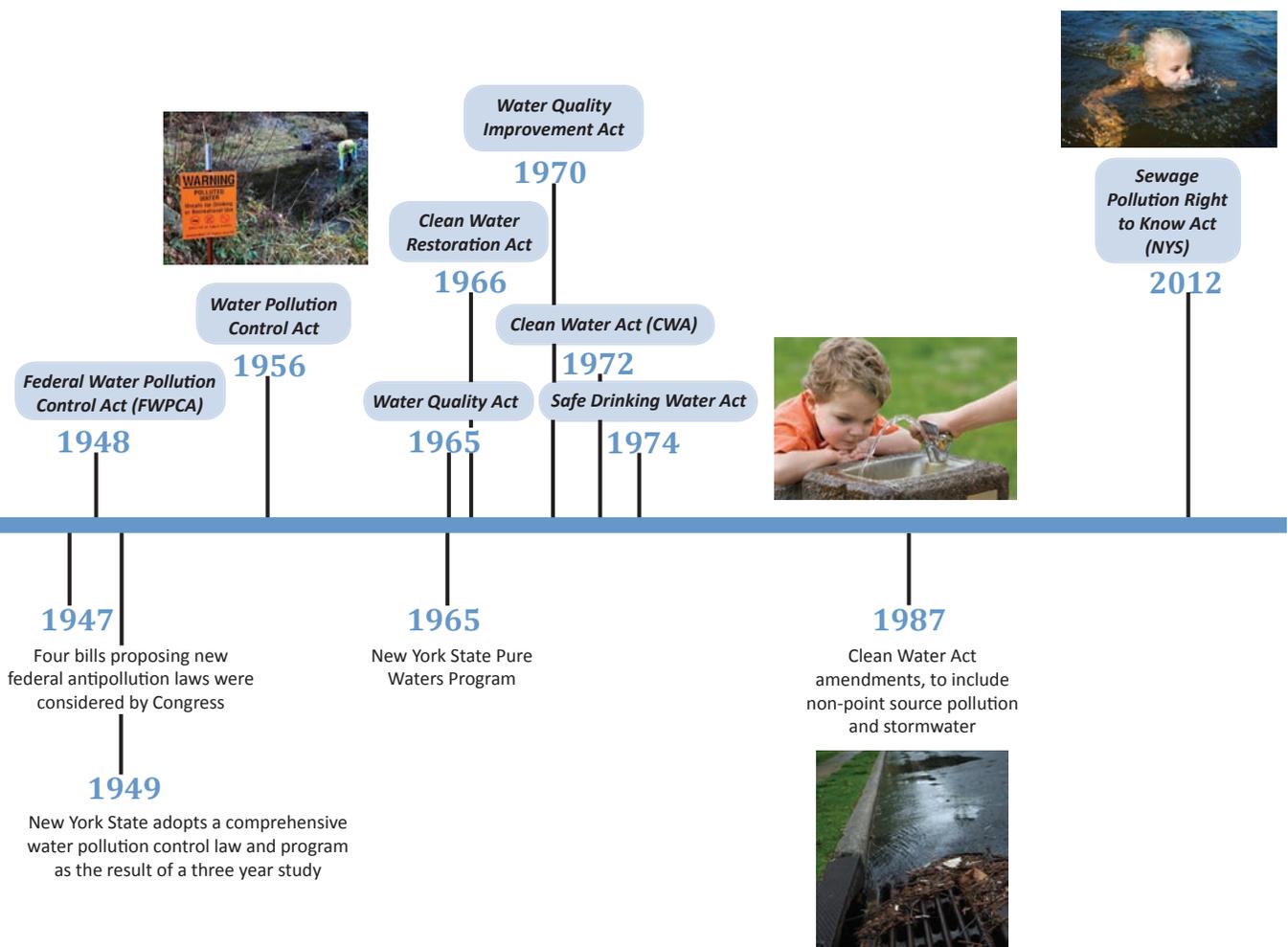


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Environmental Conservation (NYSDEC) to implement New York’s State Pollutant Discharge Elimination System (SPDES) permitting program. The NYSDEC has promulgated detailed regulations which are set forth in Title 6 of the Official Compilation of New York Codes, Rules and Regulations (NYCRR), and has issued written guidance documents known as the Technical and Operational Guidance Series (TOGS). The Sewage Right to Know Act is the most recent addition to New York State water protection regulations, requiring publicly owned sewage treatment plants and sewer systems to notify the general public whenever the facility discharges untreated or partially treated sewage. The Act was passed by New York State Legislature in July 2012, signed into law by Governor Cuomo in August 2012, and scheduled to take effect in May 2013. Also required is notification of routine sewage releases, such as CSOs and similar permitted discharges due

to stormwater events. Public notification is required within 4 hours of the event and is announced through electronic media and posted on the NYSDEC website. The NYSDEC then produces an Annual Report stating discharge events and following remedial actions.

Virtually all aspects of wastewater treatment in New York are specifically regulated. The initial design and construction of a wastewater treatment plant must be reviewed and approved by NYSDEC before a permit is issued. Regulations require the operators of municipal wastewater treatment plants to be certified, and the effectiveness of treatment must be continually monitored with performance results regularly self-reported to NYSDEC. With all federal and state laws, regulations, and guidance documents available online, owners and operators of wastewater treatment plants have instant access to the authorities under which they operate. After more than 35 years of administering



the Clean Water Act, federal and state environmental enforcement authorities have no sympathy for public or private owners or operators who feign ignorance of applicable and relevant legal requirements or fail to comply therewith.

### Clean Water Act Regulation Standards

Substantive regulation of the discharge of pollutants to water bodies under the Clean Water Act (CWA) is accomplished from two perspectives—technology standards and ambient water quality standards. These substantive approaches are implemented through the procedural device of issuing a State Pollutant Discharge Elimination System (SPDES) permit (detailed later herein) which contains legally enforceable discharge limits for pollutants.

### Technology Standards

The CWA sets up technology standards that differ based on the type of pollutant and whether the discharge is new or existing at the time the standard is established. Examples include: best available technology economically achievable (BAT); best available demonstrated control technology (BADCT); and best conventional pollutant control technology (BCT). Much of the differences between these standards relate to the degree to which cost can be considered in selecting the technology and the reliability of the technology.

Each of the technology standards are defined conceptually in statute and more particularly set by EPA/NYSDEC for individual permits. The USEPA/NYSDEC will determine the technology that satisfies the relevant standard and will set an effluent limit (generally a concentration of pollutant per unit of discharge) that is reflective of the use of that technology. This approach is intended to encourage continual improvement of control technologies which in turn will result in increasingly more stringent effluent limits.

With respect to Publicly Owned Treatment Works (POTWs), the CWA sets the highest level of required technology for domestic wastewater as secondary treatment. Thus, from a technology standard point of view, POTWs must implement primary treatment (solids removal) and secondary treatment (generally, biological treatment).

Treatment of non-domestic wastewater is usually not handled by processes at the POTW. Rather, if system users contribute non-domestic wastewater (industrial/



*Discharge Monitoring Report Manual*

commercial operations), those waste streams must be pre-treated prior to entering the municipal system. Local governments address this issue by requiring industrial/commercial sources of non-domestic wastewater to obtain local discharge permits as a condition of using the public sewer system and which establish the legal requirements related to pre-treatment.

### Water Quality Classifications

The second approach used by the CWA considers the impact of the discharge on the receiving water body. The CWA requires states to classify receiving waters by their highest and best use. New York's classification differentiates between surface and ground water and between fresh and saline waters. Waters are generally classified by the following list:

- Classifications A, AA, A-S and AA-S: indicating a best usage for a source of drinking water, swimming and other recreation, and fishing.
- Classification B: indicating a best usage for swimming and other contact recreation, and fishing.
- Classification C: indicating a best usage for fishing.
- Classification D: indicating a best usage of fishing, but these waters will not support fish propagation.

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- Classification SA (marine waters): indicating a best usage for shellfishing for market purposes, swimming and other recreation, and fishing.
- Classification SB (marine waters): indicating a best usage for swimming and other recreation, and fishing.
- Classification SC (marine waters): indicating a best usage for fishing.
- Classification I (marine waters): indicating a best usage for secondary contact recreation, and fishing.
- Classification SD (marine waters): indicating a best usage for fishing, but these waters may not support fish propagation.
- GA: Fresh groundwater. Best usage = potable water
- GSA: Saline groundwater. Best usage = potable mineral waters; conversion to potable water; manufacture of salts.
- GSB: Saline groundwater. Best usage = receiving water for disposal of wastes.

Waters with classifications AA, A, B and C may also be designated as:

- T: indicating trout waters.
- TS: indicating suitability for trout spawning.

Regulators then determine ambient concentrations of pollutants that are consistent with these uses. The most important factors regarding whether a particular discharge can potentially cause a violation of any given water quality standard are the natural background concentration of the pollutant; the man-made inputs of that pollutant into the water body (i.e. pollutant discharges); and the flow of the water body (the greater the flow, the greater the ability to absorb pollutants).

Since meeting the technology standards does not guarantee that a discharge will not create or contribute to exceedance of the ambient water quality standards, regulators must examine the impact of a discharge on water quality even though the discharge of pollutants will be restricted by application of the appropriate technology limit. Based on modeling, regulators will determine whether the discharge could cause or contribute to an exceedance. Where an exceedance is possible, notwithstanding the fact that

the effluent discharge is at a level that satisfies the technology requirement, a more stringent effluent limit (a water quality based effluent limit – WQBEL) must be considered. If the out-of-compliance parameter is industrial/commercial in nature, the water quality based requirements can be passed along upstream to the industrial/ commercial user via the local pre-treatment permit.



Protecting the receiving waters and, by extension, downstream communities's source waters, is critical.

Where multiple entities are discharging to a receiving water body which results, or potentially could result, in an exceedance of an ambient water quality parameter, regulators will look to establish a total maximum daily load (TMDL) for pollutant discharges that can impact the impaired portion of the water body. The TMDL limits the addition of quantities of the pollutant of concern and acts as a management tool to reduce the concentrations of that pollutant over time so that the water body can be restored. The DEC has adopted guidance documents which are invaluable in implementing a wide variety of requirements. These are known as the Technical and Operational Guidance Series (TOGS). All of these documents are available on DEC's website.

### Legal Responsibilities

Owners and operators of wastewater treatment plants face many challenges in complying with the applicable laws and regulations. NYSDEC and other agencies will often work cooperatively with owners and operators of wastewater treatment plants to write appropriate SPDES permits and to achieve compliance with the permits. Regular communication with NYSDEC is encouraged to develop a rapport with the agency and better lines of communication to address permit and compliance issues.

In New York, owners and operators who regularly violate applicable water pollution control laws, regulations, or permits and fail to take appropriate measures to abate such violations will attract the enforcement attention of NYSDEC and the relationship with the agency can rapidly change from cooperative to adversarial. That attention, and the legal proceedings which often follow, can result in civil or criminal prosecution and liability for owners and operators. Municipal bodies that own wastewater treatment plants are not immune from enforcement.

The self-monitoring and reporting conditions of SPDES permits present obvious opportunities and incentives for owners and operators to effect less than full compliance, so a substantial amount of governmental enforcement efforts are focused on improper monitoring and reporting. Through such efforts, enforcement authorities seek to directly punish owners and operators for violations, and deter others from engaging in the same or similar illegal conduct.

### SPDES Report Monitoring and Related Resources

The program controls point source discharges to ground waters and surface waters (see glossary for definitions).

**Special Conditions of Permits:** For your assistance, a sample SPDES Permit is included in Appendix A. The Special Conditions of the permit details information on the wastewater facility location, receiving water discharge point(s), permit limits, levels and monitoring and other requirements such as implementing Best Management Practices or a compliance schedule. Permit limits are the maximum allowable concentrations or ranges for various physical, chemical and/or biological parameters. The permit may also specify limits for flow (million gallons per day) and mass loadings (pounds per day). Monitoring requirements are noted in terms of frequency of collection, sample type (composite vs. grab), and sample location (influent or effluent). Recording, reporting and additional monitoring requirements are shown on Page 4 of Part 1.

Part 750 of the Official Compilation of Codes, Rules and Regulations of the State of New York (NYCRR) provides the statutory authority for requiring a SPDES Permit and operating in accordance with a SPDES Permit. For the complete regulation, visit the following website: [www.dec.ny.gov/regs/4585.html](http://www.dec.ny.gov/regs/4585.html).

Some important sections of Part 750 include:

- Public Notification of Discharges (750-1.12) requires that a sign be erected or posted where wastewaters are discharged to surface waters.
- Modification of SPDES Permits (750-1.18) provides the grounds for Permit changes.
- General Provisions of a SPDES Permit (750-2.1) indicate that any Permit noncompliance constitutes a violation of the Environmental Conservation Law (ECL) and the Clean Water Act.
- Inspection and Entry (750-2.3) allows for the NYSDEC to enter onsite, inspect, sample, request various records, etc.
- Operator and Permittee Liability (750-2.4) clearly outlines the possible criminal and administrative liabilities to the operator and/or the owner.
- Routine Monitoring, Recording and Reporting (750-2.5) discusses the kinds of records that must be maintained, the testing and analytical procedures required, and the need to submit Discharge Monitoring Reports (DMRs).
- Incident Reporting (750-2.7) outlines the procedures for reporting of a bypass, upset or other incident.
- Disposal System Operation and Quality Control (750-2.8) requires that the plant has preventive and corrective maintenance programs as well as written procedures for O&M, training of new operators, and laboratory QA/QC. The system shall not receive wastes beyond design capacity. The plant will have sufficient staff to satisfactorily operate and maintain the treatment works.
- National Pretreatment Standards (750-2.9) requires the plant to develop a pretreatment



*Sludge treatment and disposal is an important part of the process.*

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program to monitor and control industrial users. This section also requires that excessive infiltration and inflow be identified and removed.

For questions and clarification of these regulations, contact the Regional Water Engineer in your area, or visit the “Regulations” section of NYSDEC’s website.

### Discharge Report Monitoring

The SPDES program requires that wastewater facilities complete and submit Discharge Monitoring Reports (DMRs). DMRs are legal documents and any falsification of data can result in legal implications. Failure to submit the DMR is a violation of the SPDES Permit, Article 17 of the NYS Environmental Conservation Law, and the Federal Clean Water Act. Records must be kept for at least five (5) years. DMRs are either mailed to a facility or the facility downloads them from a NYSDEC website. All DMRs must be signed and mailed to NYSDEC. The NYSDEC and USEPA are working together to allow electronic submission of the DMR through USEPA’s Net DMR system, an effort that may eventually be mandated by USEPA regulations.

Across the top of the DMR is the mailing information for the permittee and facility, the SPDES permit number, discharge or outfall number, and the monitoring period. Monitoring can take place monthly, quarterly, semi-annually or annually. The DMR form lists the parameters and the monitoring locations for each outfall number down the left side. The form lists up to seven (7) parameters; therefore, outfalls with more than



*Discharges are regulated and monitored, signage is also required.*

seven (7) parameters will require several DMR forms. These parameters and monitoring locations correspond with the SPDES permit limits, which are listed under the quantity (loading) and quality (concentration) columns on each DMR form. Data is entered in the open “Sample Measurement” boxes. On the right side of the DMR, there is a column titled “No. Ex.”

(Number of Excursions). Report the number of days in violation of a permit limit in this column. The NYSDEC’s SPDES Compliance Coordinator tracks all SPDES permit violations.

Across the bottom of the DMR is the signature information. The Name/Title Principal Executive Officer (PEO) is the person who is authorized to sign the DMR or may authorize other representatives to sign the DMR. By signing the DMR, the PEO or authorized representative concedes that the data on the DMR is true, accurate, and complete to the best of his or her knowledge. Submit all changes in the authorized signer in writing to the NYSDEC using the Discharge Monitoring Report Signature Authorization Form in Appendix B.

Visit the following website for the DMR Manual that explains how to complete the DMR, for Frequently Asked Questions about DMR reporting, and for various forms that may not be available in this manual: [www.dec.ny.gov/chemical/8461.html](http://www.dec.ny.gov/chemical/8461.html).

### Enforcement

Governmental enforcement of water pollution control laws in New York is almost exclusively by NYSDEC, although USEPA has reserved in its delegation of authority to New York and other states the ability to step in and “overfile,” (i.e., commence a federal enforcement action if USEPA determines that state enforcement is inadequate or insufficient).

Governmental enforcement actions against owners and operators can be initiated in several ways. The NYSDEC Division of Water staff identifies the majority of violations of water pollution control laws, regulations and permits. The agency’s Division of Law Enforcement and Bureau of Environmental Conservation Investigations, staffed by fully authorized investigators and law enforcement officers with specialized environmental training, also identify many violations. These uniformed and plain-clothed police officers follow up on referrals from NYSDEC staff and tips from the public, and have authority to take civil or criminal action.

### Violations and Penalties

Depending on several factors, including the mental state of the violator and seriousness of a violation, enforcement can be in the form of criminal, civil, and/or administrative prosecution.

When an owner or operator commits a knowing

and willful violation of a water pollution control law, regulation, or permit, or commits an act or omission so negligent or extreme, he/she exposes themselves to criminal prosecution and liability. According to NYSDEC, the most common criminal violation committed by owners and operators of wastewater treatment plants is the submission of monthly discharge monitoring reports containing false information concerning the levels of pollutants discharged, the level of treatment achieved, or the operation of the facility.

If NYSDEC determines that criminal prosecution of an owner or operator is warranted and appropriate, it can refer the matter to a United States Attorney to commence legal proceedings in Federal District Court, or to the New York State Attorney General or a county district attorney for prosecution in New York State Courts.

As in all criminal proceedings, where the loss of one's personal liberty may be at stake, the prosecution bears a high burden and must prove beyond a reasonable doubt that the owner or operator committed the alleged violations. An owner or operator convicted of a criminal violation could face prison, in addition to monetary and other criminal penalties.

If NYSDEC determines that in committing a violation an owner or operator lacked the required knowing and willful mental state, the Department can still initiate civil enforcement proceedings. Civil enforcement can seek correction or abatement of violations, remediation or restoration of environmental damage, as well as monetary penalties. Article 71 of the ECL provides for civil penalties for most violations of water pollution control laws, regulations, and permits of up to \$37,500 per day of violation. Civil enforcement also serves to punish violators and deter others from engaging in the same or similar conduct.

The NYSDEC often resolves civil enforcement proceedings through an Order on Consent. An Order on Consent is a legally binding contract between the violator, known as a Respondent, and NYSDEC. In entering into an Order on Consent, the Respondent waives his/her right to the hearing which he/she is entitled to by law, and agrees to do certain things, typically including the payment of a penalty and the taking of appropriate remedial measures to correct the violation. Violation of the terms of an Order on Consent can result in penalties of up to \$37,500 per day of violation, and renewed prosecution of the original

violations. The penalty normally has a "Payable Amount," and the Order on Consent may contain "Stipulated Penalties" for violations of its terms.

### Administrative Proceedings

If a violation cannot be resolved in an Order on Consent, NYSDEC can initiate an administrative proceeding before an Administrative Law Judge (ALJ) where NYSDEC can seek an order to require compliance, as well as civil penalties. Such an administrative proceeding is commenced by the filing and service of a Notice of Hearing and Administrative Complaint, or a Notice of Motion for an Order Without Hearing. The ALJ, an employee of NYSDEC, conducts a hearing, hears the testimony of witnesses, reviews evidence put forward by NYSDEC staff and the Respondent, and makes a recommendation to the NYSDEC Commissioner.

The Commissioner can adopt the ALJ's report and recommendation, or make his or her own determination. Decisions of the ALJ and Commissioner will be upheld as long as such decisions are not arbitrary or capricious. Penalties imposed after an administrative hearing will often be greater than the original amount sought by NYSDEC in an Order on Consent.

The NYSDEC has issued qualifications for operators of wastewater treatment plants which are set forth at 6 NYCRR Part 650. Pursuant to this regulation, NYSDEC is authorized to issue a certification to an operator who satisfies those qualifications. If NYSDEC determines that an operator certification was issued by mistake or as a result of fraud, or if NYSDEC determines that an operator was negligent, or practiced fraud or deceit in the performance of his or her duties, NYSDEC can commence an administrative proceeding before an ALJ to revoke the operator's certification.

Owners and operators should understand that criminal prosecution of violations of water pollution control laws, regulations and permits does not preclude simultaneous or subsequent civil and administrative enforcement, and vice versa. As such, a single violation of a water pollution control law, regulation or permit could result in a scenario where an operator faces criminal prosecution by a United States Attorney and is subject to an administrative proceeding concerning the revocation of his or her certification, while the owner of the facility, which could be a municipal body, faces a civil enforcement action which could result in civil penalties and expensive corrective action.

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If the Commissioner of NYSDEC determines that a condition or activity presents an imminent danger to the health or welfare of the people of the state or is likely to result in irreparable damage to natural resources, the Commissioner can issue a Summary Abatement Order requiring the immediate cessation of such condition or activity. Because this remedy is considered drastic, an administrative hearing must be provided within 15 days of the issuance of the Commissioner's Summary Abatement Order.

Because Congress recognized that the federal and state governments could not effectively monitor compliance of all discharges and enforce all violations, it included in FWPCA a "Citizen Suit" provision which allows any citizen to commence civil enforcement proceedings in Federal District Court to enforce compliance with FWPCA and violations of NPDES and SPDES permits. Since citizen suits may not be maintained for wholly past violations or where the federal or state government is diligently prosecuting such violations, it is in owners' and operators' best interests to immediately abate the violation if possible, and it may be advisable to seek the initiation of government enforcement activities so as to preempt a citizen suit.

### Compliance: Best Strategy

Wastewater treatment is highly regulated at the federal, state and, sometimes, even the regional and local levels. Given that criminal violations of water pollution control laws, regulations, and permits can result in incarceration and civil penalties as high as \$37,500 per day, and given that an operator's certification and source of livelihood can be revoked for cause, there is simply no substitute for compliance. Compliance requires proper planning by the owner, proper monitoring and maintenance by the operator, and cooperation and assistance by the relevant regulatory authority. Though non-compliance may appear in certain instances to provide some illusory short-term savings, compliance is, over the long term, a much more cost effective strategy.

Useful Liability Resource: The Local Government Environmental Assistance Network offers the The Primer for Local Governments on Environmental Liability at: [www.lgean.org/documents/primer.pdf](http://www.lgean.org/documents/primer.pdf).

### Certification on the Discharge Monitoring Report

The SPDES permit may require the permittee to submit a monthly Wastewater Facility Operation Report. This report, also known as the Monthly Operating Report, is a legal document that the PEO or authorized agent must sign conceding that the data is true, accurate, and complete. The certification section of this form (which appears on page 4) requires the PEO or authorized signer to acknowledge the statement shown here:

Questions regarding DMRs:

NYSDEC - SPDES Compliance Information Section  
625 Broadway  
Albany, NY 12233-3506  
518-402-8177

### SPDES Compliance System and You

Wastewater treatment facilities are monitored by NYSDEC to verify compliance with the SPDES Permit using a combination of approaches, including Discharge Monitoring Reports (DMRs), onsite inspections and reconnaissance, and effluent sampling/analyses. The NYSDEC responses to violations of the SPDES Permit may include:

- Phone Call from the Regional Inspector
- Onsite Inspection
- Technical Assistance
- Warning Letter from the Regional Inspector
- Compliance Conference
- Notice of Violation (NOV)
- Sewer Moratorium
- Penalties
- Order on Consent
- Notice of Hearing and Complaint (NOHC)
- State or Federal Prosecution
- SPDES Permit Modification

The level of NYSDEC response is a function of several factors including the number, severity and duration of violations, and the extent of cooperation by the community. The compliance of small wastewater treatment plants is monitored by NYSDEC. The NYSDEC and USEPA monitor the compliance of large treatment plants through the Significant Noncompliance Action Program (SNAP). Effluent violations, not filing a DMR or missing deadlines for a construction upgrade, each may result in a facility entering the SNAP process. The USEPA and NYSDEC meet quarterly to discuss appropriate compliance strategies to achieve SPDES

permit limits and restore compliance at these facilities. If violations continue, the US EPA requires that NYSDEC use its enforcement mechanisms to restore compliance. As part of its agreement with NYSDEC, USEPA retains the right to conduct its own enforcement, an action known as overfiling. As an operator and local official, it is important to note that like most agency information, the public has access to the USEPA compliance database, under the Enforcement and Compliance History Online (ECHO) provision. Anyone can have access to up to 800,000 facilities nationwide and can review up to three (3) years of data for a center. You can visit the following website to check if your community's wastewater treatment facility is compliant: [www.epa.gov/echo](http://www.epa.gov/echo).

Envirofacts Data Warehouse is another USEPA database that can be searched to check for violations and compliance records specific to treatment plants. The Water Discharge Permits Query Form allows for the retrieval of selected data from the Integrated Compliance Information System (ICIS) that includes the National Pollutant Discharge Elimination System (NPDES). You can access this information on the following website: [www.epa.gov/enviro](http://www.epa.gov/enviro).

Compliance, staying off SNAP, and avoiding possible legalities brought by public interest groups involve good management and operations procedures. The following list is just a few suggestions in order to maintain compliance:

- Meet SPDES Permit Limits
- Comply with Part 750
- Meet Deadlines in Orders and Permits
- Work with your NYSDEC Inspector
- Report Sampling and Monitoring Results Honestly
- Renew Operator Certifications On Time
- Establish an Adequate O&M Budget
- Revisit Sewer Rates
- Capital Improvement Plan and Reserve
- Preventive Maintenance and Process Control Systems
- Attend Ongoing Operator Training
- Train and Retain Good Staff

### Additional Resources:

For SPDES Permit Regulations - 6 NYCRR PART 750

NYSDEC - Bureau of Water Permits

625 Broadway

Albany, NY 12233-3505

518-402-8111

[www.dec.ny.gov/regs/2485.html](http://www.dec.ny.gov/regs/2485.html)

Manual for Completing the Discharge Monitoring Report for the State Pollutant Discharge Elimination System.

NYSDEC - Bureau of Water Compliance Programs

625 Broadway

Albany, NY 12233-3506

518-402-8177

[www.dec.ny.gov/chemical/8461.html](http://www.dec.ny.gov/chemical/8461.html)

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