HUNTINGTON SANITARY BOARD
ENFORCEMENT RESPONSE PLAN

OS - Operations Superintendent PC - Pretreatment Coordinator ATTY - HSB Attorney

NONCOMPLIANCE	NATURE OF VIOLATION	ENFORCEMENT RESPONSE	PERSONNEL
Unpermitted discharge	No harm to POTW, personnel or environment	Phone call and send application form with due date of 30 days	PC
	Minor interference to POTW. No harm to personnel or environment	Inspect facility. Send letter explaining 1. Best Management Practices (BMP) 2. Failure to initiate BMPs will result in Discharge Permit	OS, PC
	Potential for Major interference to POTW or harm to HSB employees or environment	Give Cease Order to stop discharge and Send Permit Application with due date of 30 days.	OS, PC
Nonpermitted discharge (failure to renew)	Failure to submit Permit Application after notice by the POTW	Termination of sewer service	OS, PC, ATTY
	IU has not submitted an application within 45 days of due date.	Phone call with NOV	PC

DISCHARGE LIMIT VIOLATION	NATURE OF VIOLATION	ENFORCEMENT RESPONSE	PERSONNEL
Exceedance of local or Federal Standard (permit limit)	Isolated no harm to POTW	Phone call with NOV	OS, PC
	Recurring no harm to POTW	AO requiring Plan of Action to prevent future violations	OS, PC
	Recurring after developing Plan of Action; no harm to POTW	AO with fine from Matrix Table	OS, PC
	Recurring with 66% of measurements taken in a six month period exceeding the permitted limit.	AO with fine from Matrix Table; publish in newspaper as SNC User	OS, PC
	Recurring with 33% of measurements taken in a six month period exceeding the Technical Review Criteria of the permitted limit.	AO with fine from Matrix Table, publish in newspaper as SNC User	OS, PC
	Isolated Interfering with POTW or causing pass-through	AO requiring : 1. Cease of discharge causing interference or pass-through 2. Fine based on Matrix Table 3. Plan of Action to prevent future violations 4. Publish in newspaper as SNC User	OS, PC, ATTY

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	Failure to mitigate non-compliance or halt production: No harm to POTW Harm to POTW		OS, PC, ATTY
	Failure to properly operate and maintain pretreatment facility. No harm to POTW Harm to POTW	NOV AO with fine from Matrix Table, and/or Civil Action	OS, PC, ATTY
	Inadequate record keeping First offense Recurring	NOV AO with fine from Matrix Table	OS, PC, ATTY
	Diluting wastestreams in lieu of treatment	AO with fine from Matrix Table	OS, PC, ATTY

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MONITORING AND REPORTING VIOLATION	NATURE OF VIOLATION	ENFORCEMENT RESPONSE	PERSONNEL
Reporting	Report not signed or certified	Phone call	
	Second offense	NOV	OS, PC
	>2 offenses	AO with Plan of Action and fine based on Matrix Table	OS, PC
	Late report <45 days	NOV	OS, PC
	Report over 45 days (SNC)	AO with fine based on Matrix Table and Publish Name in Newspaper	OS, PC
	Failure to report spill or changed discharge no harm to POTW	NOV	OS, PC
	Failure to report spill or changed discharge with harm to POTW	AO with 1. Request Plan of Action may include developing/reviewing Slug Plan 2. Fine based on Matrix Table 3. Publish Name in Newspaper if POTW experienced pass-through or interference	OS, PC
	Repeated failure to report spills	Show cause hearing; possible termination of service	OS, PC, ATTY
	Falsification of report	Criminal investigation	OS, PC, ATTY
	Failure to report additional sampling	AO	OS, PC
Monitoring	Failure to install monitoring equipment <45 days	NOV	OS, PC
	Failure to install monitoring equipment >45 days	AO	OS, PC
	AO ignored	Show cause hearing; possible termination of service	OS, PC, ATTY
	Failure to monitor pollutants as required by the Discharge Permit	NOV	OS, PC
	Recurring failure to monitor as required	AO requiring a Plan of Action to ensure proper monitoring of pollutants	OS, PC
	AO ignored	AO with fines based on Matrix Table possible Show Cause Hearing	OS, PC, ATTY
Sampling	Failure to sample as required by the Discharge Permit	NOV	OS, PC
	Failure to sample as required by the Discharge Permit to cover non-compliance with Discharge Permit Limits	Show Cause Hearing possible criminal investigation	OS, PC, ATTY
Compliance Schedules	Missed milestone by less than 90 days	NOV	OS, PC

	Missed milestone by more than 90 days	Show Cause Hearing Fine based on Matrix Table per day, Publish name in paper	OS, PC, ATTY

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Other Violations			
Entry to facility	Denied entry to facility	Obtain warrant and return	OS, PC, ATTY

TIMEFRAME FOR RESPONSES

A. All violations will be identified and documented within fifteen days of receiving compliance information.

B. Initial enforcement responses [involving contact with the Industrial User and requesting information on corrective or preventative action(s)] will occur within thirty days of violation detection.

C. Follow up actions for continuing or reocurring violations will be taken within sixty days of the initial enforcement response. For all continuing violations, the response will include a compliance schedule and increased compliance assessment activities.

D. Violations which threaten health, property or environmental quality are considered emergencies and will receive immediate responses such as halting the discharge or terminating service.

E. All violations meeting the criteria for significant noncompliance will be addressed with an enforceable order within thirty days of the determination of significant noncompliance.

SIGNIFICANCE OF VIOLATION

SIGNIFICANCE OF IMPACT	Major	Moderate	Minor
Major	$10,000.00	$7,000.00	$4,000.00
Moderate	$7,000.00	$5,000.00	$3,000.00
Minor	$4,000.00	$3,000.00	$2,000.00

Significance of Impact

Major Violation = Any discharge that causes pass-through or interferes with the Treatment Plant or cause imminent danger to POTW employees.

Moderate Violation = Any discharge not considered Major, but does interfere with the collection system. Any repeat enforcement action that resulted in a previous fine.

Minor Violation = Violation of any Plan of Action developed through previous NOV or AO