

LAURENS COUNTY WATER AND SEWER COMMISSION ENFORCEMENT RESPONSE GUIDE

	<u>NONCOMPLIANCE</u>	<u>NATURE OF VIOLATION</u>	<u>RANGE OF RESPONSES</u>
A.	SAMPLING, MONITORING & REPORTING (SMR)		
1.	Minor SMR deficiencies	Isolated or infrequent	Letter, email or other informal response NOV (Note: resample may be required)
2.	Minor SMR deficiencies	Frequent	NOV, administrative conference, NSC, AO, civil penalty
3.	Major SMR deficiencies	Isolated or infrequent	NOV, administrative conference, NSC, AO, civil penalty
4.	Failure to comply with SMR	Permittee does not respond; frequent violations resulting in SNC	NSC, AO, civil or criminal penalties, suspension or permit, revocation of permit
5.	Failure to notify of effluent limit violation or slug discharge	Isolated – no known effects	Letter, email or other informal response NOV, AO – report required
6.	Failure to notify of effluent limit violation to slug discharge	Frequent or continued violation (SNC) – no known effects	NOV, AO – report required, NSC, civil penalty
7.	Failure to notify of effluent limit violation of slug discharge	Known damage to environment, treatment plant, health hazard	NSC, civil or criminal penalties, suspension of permit, revocation of permit

SNC SIGNIFICANT NON-COMPLIANCE

LEGEND

AO ADMINISTRATIVE ORDER
NSC NOTICE TO SHOW CAUSE
SMR SAMPLING, MONITORING AND REPORTING
SNC SIGNIFICATION-COMPLIANCE

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B. DISCHARGE WITHOUT A PERMIT OR APPROVAL		
1. Minor permit deficiencies	User did not comply with permit application and approval process prior to discharge no environmental or treatment plant damage or NPDES violation	Letter, email or other informal response AO requiring proper application process, NSC, civil penalty
2. Major permit deficiencies	Violation of NPDES permit or danger to human health and safety (SNC)	AO to immediately cease discharge, NSC, cut off water service, civil or criminal penalties
3. Failure to comply with permit	Continuing unpermitted discharge with resulting NPDES violations or danger to environment or human health	Cut off water service, civil or criminal penalties disconnection of sewer
C. DISCHARGE WITH EXPIRED PERMIT		
1. Minor permit deficiencies	Failure to apply for permit renewal or to complete renewal application requirements no damage to environment, human health or treatment plant	Letter email or other informal response – permit application required, NOV, civil penalty, reissuance of permit if applicable

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D. PERMIT VIOLATIONS		
1. Exceeding discharge limits	Isolated, non-significant	Letter, email or other informal response NOV, AO
2. Exceeding discharge limits	Repeated, non-significant	NOV, AO – report required, administrative conference, NSC, civil penalty
3. Exceeding discharge limits	SNC	NOV, AO – report required, administrative conference, NSC, civil or criminal penalties
4. Exceeding discharge limits	SNC with know damage to environment treatment plant or human health	NSC, civil or criminal penalties, suspension of permit (Note: Suspended permits will be reinstated only after determination of damage caused by the user; user responsible for cost)
5. Discharge of slug load	Isolated - no human damage	NOV, AO to develop slug control plan
6. Discharge of slug load	Isolated with known damage to human health, treatment plant or environment	AO to develop slug control plan, NSC, civil penalty
7. Discharge of slug load	Recurring	NSC, cut off water service, civil or criminal penalties, suspension of permit, revocation of permit.

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E. COMPLIANCE SCHEDULE VIOLATIONS		
1. Missed milestone date	No delay for other milestones or final dates	letter, email or other informal response NOV, AO
2. Missed milestone date	Delay for other milestones or final dates, with reasonable cause	Administrative conference, NOV, AO required, NSC
3. Missed milestone date	Delay to other milestones or final date, no reasonable cause (SNC)	NOV, Ao – report required, NSC, civil penalty, suspension of permit
4. False information reported	Any instance	NSC, civil or criminal penalties, revocation of permit
F. INSPECTIONS OR FIELD INVESTIGATION SHOW NONCOMPLIANCE		
1. Entry denial	Entry denied or consent withdrawn or access to records denied	NOV, AO, NSC, suspension of permit, obtain search warrant
2. Illegal discharge without permit	Refer to Section B of this Enforcement Response Guide	Refer to Section B of this Enforcement Responses Guide
3. Illegal discharge with permit	Refer to Section C of this Enforcement Response Guide	Refer to Section C of the Enforcement Response Guide
4. Improper sampling	Refer to Section A of this Enforcement Response Guide	Refer to Section of this Enforcement Response Guide

LEGEND

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DATE

14 January 2000

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5. Inadequate record keeping	Refer to Section A of this Enforcement Response Guide	Refer to Section A of this Enforcement Response Guide
6. Failure to report additional monitoring	Isolated or infrequent with no evidence of intent to misrepresent discharge constituents	NOV
7. Failure to report additional monitoring	Recurring	NOV with civil penalty
8. Minor violation of analytical procedures	Any instance	Letter, email or other informal response NOV, AO
9. Major violation of analytical procedures	No evidence of intent	letter, NOV, AO, for immediate correction, NSC
10. Major violation of permit conditions	No evidence of intent	NSC, civil or criminal penalties, suspension of permit, revocation of permit
11. Minor violation of permit conditions	Evidence of Intent	NOV, AO for immediate correction, NSC
12. Major violation of permit conditions	Evidence of intent (SNC)	NOV, AO for immediate correction and report required, NSC, civil or criminal penalties, permit suspension/ revocation

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