

# DEALING WITH A PANDEMIC

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22<sup>ND</sup> ANNUAL EPA NEW ENGLAND INDUSTRIAL PRETREATMENT COORDINATORS CONFERENCE

# WHAT IS EPA DOING?

- Continue to work remotely – business as usual!
- Heard the expression “Same same but different”
- Phone lines are forwarding to home or cell phone
- Among many other things:
  - Participating in constant remote meetings, conferences, seminars, etc.
  - Continue to review submitted documents (SUO, ERP, Local limits, annual reports, etc)
  - Conducting remote pretreatment audits

**NOTE: PLEASE SUBMIT ALL DOCUMENTS ELECTRONICALLY TO OUR OFFICES IN ADDITION TO HARD COPIES UNTIL FURTHER NOTICE**

# 13 EPA AUDITS COMPLETED IN FY 2020

## Massachusetts

Brockton

Westborough

South Hadley

Gardner

Fitchburg

Ware

Springfield

Mansfield

Northampton

Attleboro

Fall River

Easthampton

## New Hampshire

Dover

# PROJECTING 15-20 EPA AUDITS TO BE COMPLETED IN FY 2021 IN MASSACHUSETTS AND NEW HAMPSHIRE (POTENTIAL LIST)

## Massachusetts

Plymouth

Rockland

North Attleboro

Webster

Upper Blackstone

New Bedford

Lynn

Newburyport

Palmer

SESD

Montague

Amesbury

Erving

Haverhill

Great Barrington

Millers Falls

## New Hampshire

Merrimack

Keene (Dec 1-2) Franklin

Somersworth (NH DES State Lead Dec 10-11)

# EPA REMOTE AUDIT/REVIEW TECHNICAL ASSISTANCE

- 2 Day remote live sessions via Microsoft Teams (2-3 hrs per day)
- Time allotted for Q&A with a focus on technical assistance
- Documents reviewed:
  - Section II of EPA Audit Checklist – Completed in advance by the POTW
  - Most recent Industrial User Permit
  - Industrial User Monitoring
  - POTW Monitoring of SIUs
  - POTW Inspection Report
  - Sewer Use Ordinance (if applicable)
  - Enforcement Response Plan (if applicable)
  - Other documents as necessary
- SIU Inspections to be conducted at a later date
- Final report within 60 days

# Thinking outside the box Inspection Commitments

We recommend our partner agencies perform inspections, when it is safe to do so, consistent with their priorities and applicable OECA program priorities

When on-site inspections cannot be performed due to COVID-19, EPA encourages the use of off-site compliance monitoring activities.

<https://www.epa.gov/compliance/covid-19-inspection-commitments-letter>



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C. 20460

ASSISTANT ADMINISTRATOR  
FOR ENFORCEMENT AND  
COMPLIANCE ASSURANCE

July 22, 2020

Dear Partner Agencies:

The purpose of this letter is to assure you that the U.S. Environmental Protection Agency's Office of Enforcement and Compliance Assurance (OECA) will work with states, tribes, territories, and local agencies (hereafter referred to collectively as "partner agencies") to adjust inspection<sup>1</sup> commitments due to the COVID-19 public health emergency. This information applies to inspection commitments under those compliance monitoring programs that partner agencies are authorized to implement and that OECA oversees, as well as inspection commitments made as part of State and Tribal Assistance Grants under the Federal Insecticide, Fungicide, and Rodenticide Act and the Toxic Substances Control Act. The recommendations in this letter are not intended to conflict with direction provided by the two compliance monitoring programs overseen by other EPA National Program Managers (NPMs) (i.e., Underground Storage Tank and Underground Injection Control programs).

We share a common goal of protecting the health and safety of inspectors, the regulated community, and the public. As we work together to navigate our inspection field work during these challenging times, OECA will provide additional flexibility to assist partner agencies in meeting inspection commitments.

We recommend our partner agencies perform inspections, when it is safe to do so, consistent with their priorities and applicable OECA program priorities. When a partner agency's planned on-site inspections to meet applicable OECA program priorities cannot be performed due to COVID-19, OECA and EPA's regional Enforcement and Compliance Assurance Divisions (ECADs) encourage the use of off-site compliance monitoring activities. With advancements in technology, off-site compliance monitoring activities have the potential for being effective tools for determining noncompliance and for identifying inspection priorities.<sup>2</sup> During the public health emergency, we will count off-site compliance monitoring

# CT's Standard Operating Procedures (SOP) for Conducting Compliance Evaluations during the COVID-19 Pandemic

The inspection method for pretreatment program compliance evaluations will take one of the following forms:

- (1) **Hybrid on-site inspection:** Remote records review with DEEP sample collection and limited DEEP on-site visual observations;
- (2) **Hybrid remote inspection:** Remote records review with Permittee sample collection and staff sample retrieval;
- (3) **Full field inspection:** DEEP on-site records review, visual observations, and sample collection;
- (4) **Fully remote inspection:** Remote records review only.

QUESTIONS?