

ANNE ARUNDEL COUNTY  
DEPARTMENT OF PUBLIC WORKS

PRETREATMENT PROGRAM  
ENFORCEMENT RESPONSE PLAN

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## II. INTRODUCTION

A Publicly Owned Treatment Works (POTW) with a design flow greater than five million gallons per day and receiving from industrial users pollutants, which pass through or interfere with the operation of the POTW or are otherwise subject to the Pretreatment Standards are required to establish a Pretreatment Program. In accordance with 40 CFR 403.8, Anne Arundel County's Department of Public Works Pretreatment Program has developed this Enforcement Response Plan.

The Enforcement Response Plan is designed to establish the procedures of how a POTW will investigate and respond to instances of a discharger's noncompliance. This plan will address four main procedures for investigating, correcting and enforcing noncompliance.

The Anne Arundel County Code, Article 13, Title 5, Subtitle 5, Wastewater Discharge Requirements is the law which the Pretreatment Program follows to insure user compliance through the use of established permits. All references in the attached text citing "Department" or "County" refer to the Anne Arundel County Department of Public Works.

The County maintains three main categories of permitted facilities. The term "user" refers to any of the following categories unless specifically identified.

1. Significant Industrial User ("SIU") – an industry which is specific to a group of industries and defined by the Federal statutes or an industry who discharges greater than 25,000 gallons of PROCESS wastewater per day.
2. Non-significant Industrial User ("NSIU") – an industry that is deemed by the County to discharge harmful types and/or volumes of process wastewater to the collection system.
3. Commercial User ("CU") – a business that is deemed by the County to discharge predominantly domestic wastewater and which may include wastewater harmful to the sewerage system.

### III. PROCEDURES FOR INVESTIGATING/ASSESSING COMPLIANCE

#### A. Scheduling of Inspections and Sampling

The County's "Waste Pretreatment Program Manual", approved by the Maryland Department of the Environment (MDE) in November 1985, specifies that County Pretreatment monitoring, or sampling visits, will be conducted one, two, or four times per year depending on the user's flow to the treatment plant or potential for impact on the treatment processes, sludge quality, or the receiving waters. Currently, all SIUs are monitored by the County twice per year because such users represent either 1 to 5 percent of the treatment plant average daily flow or they have a moderate to high potential to impact treatment processes, sludge quality or receiving waters. In addition, the "Anne Arundel County Waste Pretreatment Program Administrative Procedures, 1983" specifies that County Pretreatment inspections will be conducted two times per year for all SIUs. NSIUs are monitored by the County once per year and inspected once per year. CUs are inspected at no fixed frequency. CUs maybe inspected initially at the time of permitting or when investigating a complaint or collection system problem.

In cases of significant noncompliance, applicable Industrial User (IU) inspections and sampling visits are increased in order to further review the IUs compliance status. Other factors that are considered for each discharger, which result in increased inspection and sampling frequency, are the size of the discharge, the variability of the effluent, and the reliability of the discharger's onsite treatment system.

Four types of inspections are utilized in Anne Arundel County's Pretreatment Program. They are as follows and are described in the following pages:

1. Initial/Pre-permitting Inspection
2. Routine Inspection
3. Spill Response Inspection
4. Complaint Response Inspection

## 1) INITIAL/PREPERMITTING INSPECTION

This type of inspection is conducted prior to the discharger connecting to and/or discharging to the County sewer system. The following items are performed as part of the inspection:

- Discuss the goals, objectives, and regulatory mandates of the Pretreatment Program.
- Review of discharger's Pretreatment Program Wastewater Discharge Permit Application A or B.
- Review all drawings and diagrams relating to the discharger site and processes (i.e. site diagrams, plumbing schematics, process flow diagrams, sewer connection drawings, pretreatment system design, etc.).
- Review of Spill Prevention Plans and Toxic Organic Management Plans, if available.
- Review of sampling data for proposed discharge.
- A thorough physical inspection is conducted of the facility, including process and non-process areas.
- If deficiencies are noted during this pre-inspection (i.e. chemicals stored near floor drain, malfunction of treatment system, discharge of noncontact cooling water to the sewer), immediate corrective action by the discharger is required.

## 2) ROUTINE INSPECTION

This type of inspection is conducted after a discharger has connected and commenced discharging to the County sewer. This type of inspection is used to verify the IUs compliance once or twice per year. The following items are performed as a part of the inspection:

- Discuss the goals, objectives, and regulatory mandates of the Pretreatment Program.
- Review of discharger's Pretreatment Program Wastewater Discharge Permit.
- Review all drawings and diagrams relating to the discharger site and processes (i.e. site diagrams, plumbing schematics, process flow diagrams, sewer connection drawings, pretreatment system design, etc.).
- Review of Spill Prevention Plans and Toxic Organic Management Plans.
- Review of monitoring data of facility's discharge.
- A thorough physical inspection is conducted of the facility, including process and non-process areas.
- If deficiencies are noted during the inspection, immediate corrective action by the discharger is required.

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FIGURE 1: ROUTINE INDUSTRIAL INSPECTION FORM

INDUSTRIAL INSPECTION REPORT  
ANNE ARUNDEL COUNTY PRETREATMENT PROGRAM

Date/time:

Facility name:

Facility address:

Contact person:

Title:

Telephone:

Employee info. (No., + or -):

Days/hours of operation:

Permit number:

Brief description of operation:

Brief description of pretreatment process:

Description of process generating waste water:

Average daily flow:

Description of pretreatment facility and relevant equip:

Assessment of spill control, floor drains, housekeeping, slugs, and batch discharges:

Hazardous waste management:

Self-monitoring activities:  
(Location, types of sampling, frequency, equipment, reporting)

Discussion of compliance or non-compliance:  
(Actions taken, etc.)

Discussion of production levels as to impact on water and wastewater:

Significant changes to facility operation or characteristics of discharge:

Records review:

Permit status:  
(Status, renewal, need to modify, etc.)

Further action(s) Necessary:

Inspected and prepared by: \_\_\_\_\_ Date \_\_\_\_\_

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Date\_\_\_\_\_

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3) **SPILL RESPONSE INSPECTION:** This type of inspection is conducted in response to notification from the discharger, Utility crews, and/or customers that a spill to the County sewer has occurred. The following items are performed as a part of the inspection:

- Review of discharger's Pretreatment Program Wastewater Discharge Permit.
- Review all drawings and diagrams relating to the discharger site and processes (i.e. site diagrams, plumbing schematics, process flow diagrams, sewer connection drawings, pretreatment system design, etc.).
- Review of Spill Prevention Plans and Toxic Organic Management Plans.
- Review of all operational records (i.e. treatment plant operations, hazardous waste disposal, etc.).
- A thorough physical inspection is conducted of the facility, including process and non-process areas. The discharger is questioned on the facts of the spill (i.e. cause, volume, time, etc.) and the discharger is required to take corrective and preventative actions. As required by their discharge permit, and Section 13-5-512(d) of the Anne Arundel County Code, the discharger is required to immediately notify the Department of the discharge and within five days of discovery of the discharge, file a written follow up report to the Department.
- Samples are taken, if applicable, during the inspection to verify and/or determine the source of the spill and insure corrective action has been taken.
- Employees are questioned to obtain further information about the spill.

4) **COMPLAINT RESPONSE INSPECTION:** This type of inspection is conducted in response to a complaint received from Utility crews and/or customers concerning a problem in the collection system, which may be related to a commercial or industrial discharge. The following items are performed as a part of the inspection:

- Review of commercial and industrial facilities which discharge into the collection system where the problem is occurring or has occurred.
- Review files to determine if suspect discharger(s) have Pretreatment Wastewater Discharge Permits.
- Obtain and review all drawings and diagrams relating to the discharger site and processes (i.e. site diagrams, plumbing schematics, process flow diagrams, sewer connection drawings, pretreatment system design, etc.).
- Review of all operational records (i.e. treatment plant operations, hazardous waste disposal, etc.).
- A thorough physical inspection is conducted of the facility, including process and non-process areas. The discharger is questioned on the aspects of their discharge.
- Samples are taken, if applicable, during the inspection to verify and/or determine the source of the suspect discharge.

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## INSPECTIONS

During an inspection, Pretreatment Personnel ask various questions of the user in order to better understand the particular business and/or processes. Certain questions are asked in order to ascertain general information about the discharge and the facility operations.

In order to gain specific knowledge and insight into the workings of a particular type of business (i.e., automotive repair shops, metal finishers, dry cleaners, plastic molding and forming manufacturers), very specific questions are asked regarding possible process discharges, which may contain pollutants. Appendix B is a listing prepared by the Environmental Protection Agency to assist inspectors in identifying possible process discharges to the municipal sewer system. The Anne Arundel County Pretreatment Staff consults this list frequently when conducting inspections.

Notes are taken by Pretreatment Staff during the inspection to document the details of the inspection. A draft report is generated within seven days of the inspection. The Pretreatment Program Manager reviews the draft and, if applicable, editing changes are noted within seven days by the Program Manager. A final inspection report is then generated in the next seven days. The Pretreatment Staff and the Program Manager then sign and date the report after all editing has been completed.

The County Pretreatment Staff or contract laboratory performs compliance monitoring or sampling visits twice a year for Significant Industrial Users and once per year for Nonsignificant Industrial Users. All sampling and analyses performed for this compliance monitoring are performed in accordance with approved EPA methods as established in “Methods for Chemical Analysis of Water/Wastewater EPA #600/4-79-020” and 40 CFR part 136. All sampling and analyses are performed with established Quality Assurance/Quality Control (“QA/QC”) procedures in order to provide for the collection of representative samples; in order to properly handle and preserve the samples; in order to maintain proper chain of custody procedures; and in order to insure proper analyses within the laboratory. Figure 2 details the parameters sampled and the type of samples collected during routine compliance monitoring. None of the data collected by the County is used to satisfy industrial self-monitoring requirements.

Accelerated inspections and sampling of noncompliant facilities are conducted in cases of significant noncompliance and in the cases of frequent noncompliance.

During compliance monitoring, maps detailing the specific sampling location(s), are utilized by Pretreatment Program personnel and contract laboratories to sample the proper location(s). In addition, chain-of-custody forms are used to document the sampling locations, times, and preservatives used in addition to whom has handled the samples.

Most of the sampling is performed by a contract laboratory for the County’s compliance monitoring.

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In selecting a contract laboratory to perform the County's compliance monitoring activities, certain requirements and specifications must be met in order to be eligible for the work. These minimum requirements and specifications are listed below:

1. Laboratory must have the capability, equipment, and personnel to perform automated, flow or time proportional composite sampling. Crews must observe all safety rules and have the required training to perform this work.
2. Laboratory must have the capability, equipment, and personnel to perform all analyses according to EPA approved methods (as referenced in 40 CFR 136).
3. Laboratory must have a comprehensive quality control program to ensure the precision and accuracy of analytical data.
4. Laboratory must participate and receive acceptable results in EPA's DMR-QA water pollution and water supply programs.
5. Laboratory must provide adequate turnaround time (3 weeks) for the processing of all data and reports.
6. Laboratory must be able to provide priority/emergency sampling and analytical services on an as needed basis.
7. Laboratory must have good chain of custody procedures.

## FIGURE 2: ANNE ARUNDEL COUNTY DISCHARGE SAMPLING PARAMETERS

1. Environmental Protection Agency Priority Pollutant Metals List
2. Conventional and other pollutants:
  - Aluminum
  - Ammonia
  - Biological Oxygen Demand
  - Chemical Oxygen Demand
  - Cyanide amenable to Chlorination
  - Formaldehyde
  - Hexavalent Chromium
  - Ignitability
  - Lower Explosive Limit
  - Nitrate – Nitrogen
  - Nitrite
  - Oil & Grease
  - Petroleum Oil & Grease
  - pH
  - Total Suspended Solids
  - Total Kjeldahl Nitrogen
  - Total Phosphorus
  - Total Toxic Organics

## B. Monitoring and Tracking Compliance

The Anne Arundel County Department of Public Works Pretreatment Program utilizes both manual and automated methods for monitoring and tracking compliance.

### 1. Review of POTW compliance monitoring data:

Upon receipt of any POTW compliance monitoring data from the contract laboratory by first class mail or fax OR EMAIL, the report is logged in by means of date stamping with division stamp and/or a written notation of date received in the right hand corner of the document, and is checked off on the Pretreatment Managers sampling schedule. An immediate review of the data is performed within 24 to 48 hours of receipt of the report by the Pretreatment Program Staff. Any reports that have been faxed must be followed up by the original copy of the report in the mail. Review of the reports include checking them to ensure the following:

- All required pollutants were monitored
- Monitoring was done at the correct sampling point
- Required pollutants were correctly collected, i.e., on site, by grab, or by composite
- Analyses were performed within the correct holding times
- Field sampling reports indicate that the proper sampling containers were used (i.e. glass, plastic, VOC, etc.)
- The approved EPA method (40 CFR 136) was used
- The laboratory director has signed all reports
- The QC data indicates the percent recoveries, means, standard deviations, calibration curves, blanks, etc. meet appropriate limits and levels;
- Analytical results have been compared against the permitted discharge limits to ensure compliance

When comparing the POTW compliance monitoring data against the permitted discharge limits, a manual and automated data management system is used. The manual tracking system involves reviewing the analytical reports submitted by the contract laboratory. Violations of the County's local limit or daily maximum limit, or four (4) day or monthly averages are then highlighted in the report.

The monitoring data is also entered into the Pretreatment database so that significant noncompliance, infrequent noncompliance, and consistent compliance status can be tracked. This automated system allows Pretreatment Staff to quickly and efficiently access the compliance history of an Industrial User.

### 2. Review of self-monitoring reports:

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Upon receipt of any self-monitoring by first class mail or fax OR EMAIL, the report is logged in by means of date stamping with division stamp and/or a written notation of date received in the right hand corner of the document, and is checked off on the Pretreatment Managers sampling schedule. An immediate review of the data is done within 24 to 48 hours of receipt of the report by the Pretreatment Program Staff. Any reports that have been faxed must be followed up by the original copy of the report in the mail. Review of the reports include reviewing them to ensure the following:

- All of the required pollutants were monitored and that the number of days of monitoring required were completed.
- The days of monitoring were successive, as required in the permit, and that there has been at least two months since the last self-monitoring sampling event
- The monitoring was done at the correct sampling point
- The required pollutants were correctly collected, i.e., on site, by grab, or by composite
- All analyses were performed within the correct holding times
- Field-sampling reports indicate the proper sampling containers were used (i.e. glass, plastic, VOC, etc.)
- The approved EPA method (40 CFR 136) was used
- The laboratory director signed all reports
- The QC data indicates the percent recoveries, means, standard deviations, calibration curves, blanks, etc. meet appropriate limits and levels
- The report was submitted on time/by the due date
- The signed certification statement was submitted
- The signed Toxic Organic Management Plan (TOMP) statement, if applicable, was submitted
- The discharge flow information was submitted
- Compare the analytical results against the permitted discharge limits to insure compliance
- If a violation(s) exists, whether the Department was notified within 24 hours of industry being aware of violation
- If a violation(s) exists on the last day of sampling, whether resampling was performed, and that the results of both sampling events submitted to the Department within 30 days

When comparing the self-monitoring data against the permitted discharge limits a manual and automated data management system is used. The manual tracking system involves reviewing the analytical reports submitted by the user's contract laboratory. Violations of the County's local limit or daily maximum limit, or four (4) day or monthly averages are then highlighted in the report.

The monitoring data is also entered into the Pretreatment database so that significant noncompliance, infrequent noncompliance, and consistent compliance status can be

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tracked. This automated system allows pretreatment personnel to quickly and efficiently call up the compliance history of an industrial user.

All other reports, notifications, or applications due are received, logged, reviewed, and tracked in the same timeframe and method as the self-monitoring reports, with the exception of a pretreatment program discharge application which takes approximately seven to ten days to review.

### 3. Review of inspection/spill response/complaint reports:

Inspection reports, spill response reports, and complaint reports are jointly reviewed by Pretreatment personnel and the Pretreatment Program Manager. Any instances of noncompliance discovered during an inspection will result in a verbal notification from Pretreatment personnel to the user to immediately correct the noncompliance. Pretreatment personnel, within three to five days of the inspection, will follow up on the inspection violation with a written letter documenting the violation, requesting immediate correction of the problem, and requiring a written explanation be provided to the Pretreatment Manager concerning this incident within ten days.

All response due dates are tracked on an electronic calendar. Follow up inspections may be scheduled to verify that the corrective action indicated by the user was taken. As indicated in all County wastewater discharge permits and the County code, all spills and slug loadings to the sewer must be reported immediately to the Utilities Dispatcher. In addition, within five days a written report is required by the County in response to the spill/slug loading are tracked by the County by the same above mentioned methods, in addition to entering the applicable data into the pretreatment database for compliance purposes.

### C. Tracking Compliance Status/SNC Evaluations

Significant Industrial Users are evaluated for compliance on a quarterly basis. Significant Noncompliance (SNC) evaluations are performed quarterly covering a six-month period (rolling quarters) as mandated by the EPA and the Maryland Department of the Environment (MDE). A report is generated and submitted to MDE on February 15<sup>th</sup> for the period of July 1 - December 31; May 15<sup>th</sup> for the period of October 1 - March 31; August 15<sup>th</sup> for the period of January 1 - June 30; and November 15<sup>th</sup> for the period of March 1 - September 30.

If data taken during a six-month period is received after the end of the period and SNC calculations have already been performed, then the County will go back into the Pretreatment database and enter the new data and recalculate SNC. If the additional data causes a change in compliance status, the County will amend their SNC report and notify MDE. The County will also reevaluate the appropriate enforcement actions to be taken if SNC is detected as a result of these new calculations.

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The County evaluates Nonsignificant Industrial Users annually for SNC. An industry can be in SNC, as defined in 40 CFR 403.8 (f)(viii), if its violation(s) meets one or more of the following criteria:

- Chronic violation(s) of wastewater discharge limits
- Technical review criteria violation(s)
- Violation(s) of a pretreatment standard or requirement as defined by 40 CFR 403.3(l) that the Director determines has caused alone, or in combination with, other discharges, interference or pass through (including endangering the health of County personnel or the general public).
- Any discharge of a pollutant that has caused imminent endangerment to human health, welfare, or to the environment or has resulted in the exercise of the Director's emergency authority.
- Failure to meet, within 90 days after the scheduled date, a compliance schedule milestone.
- Failure to provide, within 30 days after the due date, required reports such as baseline monitoring reports, 90-day compliance reports, periodic self-monitoring reports and reports on compliance with schedules
- Failure to accurately report noncompliance
- Any other violation or group of violations, which the Director determines, will adversely affect the operation or the implementation of the local pretreatment program

Methods for tracking SNC are utilized through the pretreatment software program. The County requires corrective actions to be initiated for any violation(s), thus all industries have begun to address any incidents of noncompliance even before they appear on the SNC report. Any industry found to be in SNC is required to be published in the local newspaper. This will be discussed later.

In addition to the tracking of significant noncompliance through the SNC report, infrequent noncompliance and consistent compliance are also tracked. The County utilizes this information to see where potential problems could exist (i.e. continuously infrequent noncompliance) and where problems do not appear likely (i.e., continuously in consistent compliance).

### III. PROCEDURES FOR RESPONDING TO NONCOMPLIANCE

#### A. Documenting Noncompliance

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The County is concerned about every violation, no matter how infrequent or small in magnitude. The County initially responds to the discovery of noncompliance by issuing a Notice of Violation (“NOV”). A NOV is a document that notifies the user that it has violated pretreatment standards and requirements. The NOV requires an investigation of the violation be made and corrective actions be initiated by the user. In addition, the NOV may require additional monitoring of the wastewater and additional reporting requirements. The pretreatment staff will generate a NOV within a week after the discovery of a violation. If the violation is unusual in nature, or so severe as to impact the operation of the Department, then prior to the issuance of a NOV, more information is gathered from the discharger so that the NOV can also dictate some additional enforcement action or required action. All dischargers are given 10 to 30 days from the receipt of the NOV to do the following:

- Investigate the violation; determine the cause, the source, personnel responsible for the violation
- Take corrective actions to stop the current violation and reoccurrence of any future violations
- Submit a written response describing the above
- In all cases, to comply immediately with the conditions of their wastewater discharge permit.

In addition, a NOV may require an increase in the frequency of the discharger’s sampling, analytical, and reporting requirements. This increased monitoring and reporting provides more data for characterizing the noncompliance and for isolating the source of the violation. The monitoring could also show a company is back in compliance. Increased self-monitoring is an automatic response for SNC violations (see Section IV).

Commercial businesses are issued a Field Correction Notice by the inspector at the time of inspection for any violation observed. A Field Correction Notice details the violation observed, corrective action necessary, and timeframe for completion of work. Failure to abide by the Field Correction Notice requirements will initiate a NOV with additional enforcement.

Failure to respond to a NOV within the allotted time is another violation in itself and the industry or business is subject to escalated enforcement actions.

## B. Initiating Additional Enforcement Action

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The County will initiate additional enforcement action for noncompliance by reviewing the following factors to assess the severity of the situation:

- Magnitude of the violation
- Duration of the violation
- Compliance history of the discharger (repetitive violations)
- Effect on the POTW (process, operations, sludge quality)
- Effect on the safety of POTW workers, and residential community
- Effect on the receiving water
- Good faith efforts of the discharger

Pretreatment Program personnel review the above factors and make recommendations for additional enforcement action to the Deputy Director and/or Director. The Office of Law is also involved to discuss appropriate enforcement actions. No more than 30 days will be allowed to elapse between the detection of the violation and the initiation of enforcement response. In most cases, when a NOV issuance is required, this will be completed within a week of detecting the violation. Follow up actions for continuing or reoccurring violations will generally be taken within 60 days of the initial enforcement response. Violations that threaten health, property, or environmental quality are considered emergencies and will receive immediate responses such as halting the discharge or suspending service. Time frames for completion of the various enforcement responses are detailed in the Enforcement Response Guide in Section IV.

The more severe the noncompliance, the more severe the enforcement action. First time violations not considered severe will prompt less serious enforcement actions (i.e. NOV). Second time violations not considered severe by the evaluation might invoke the issuance of a civil citation. Repetitive violations considered severe by the above evaluation will warrant stronger enforcement action such as compliance schedules or civil actions for injunction and fines. Violations considered extremely severe will evoke strong enforcement actions such as suspension of service or criminal prosecution or further civil action for injunction and fines. Section IV of this plan details the situations where escalation of enforcement actions is warranted.

### C. Types of Additional Enforcement Responses

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Some of the additional enforcement responses available to the County include the following:

1. CIVIL ENFORCEMENT

A. Administrative Enforcement

1. Administrative order to achieve abatement
2. Permit denial, revocation, or suspension
3. Compliance schedules
4. Termination of sewer service
5. Public notification
6. Recovery of Department costs associated with noncompliance

B. Judicial Enforcement

1. Civil fines via civil citations
2. Civil actions seeking injunctive relief and fines
3. Criminal enforcement

Civil and criminal enforcement actions are detailed as follows:

CIVIL ENFORCEMENT

A. Administrative Enforcement

1. Administrative Order

Description: This type of administrative enforcement action involves an order issued by the County requiring the violator to take certain action(s), such as to cease and desist from a certain activity or to implement certain corrective measures, within a certain time period. Examples of required actions, which may be included in an administrative order, are: to cease and desist discharging; or to undertake activities pursuant to a compliance schedule.

An Administrative Order may be issued unilaterally by the County against a violator. However, an order may be issued by consent, meaning the terms have been negotiated with the other party ahead of time and both parties are in agreement when the final order is issued.

An Administrative Order is the type of formal enforcement action that is generally used in response to an SNC violation (however not usually used in response to one-time violations).

When Applied: See Section IV

How Applied: The Director or Deputy Director issues an order on the recommendation of the Pretreatment Program Manager, which is sent by certified mail to the noncompliant discharger.

Personnel Responsible: The Pretreatment Program Manger prepares the Administrative Order with consultation from the County Office of Law. The Director or Deputy Director will then issue the order.

## 2. Denial, Revocation, or Suspension of Discharge Permit

Description: An administrative enforcement action in which the user's wastewater discharge permit is denied, suspended for a given time period, or revoked thereby making it illegal for the user to discharge at any time into the county sewer. A permit denial occurs when the County refuses to issue a permit to a first time applicant or to a renewal applicant. A revocation or suspension, however, is an enforcement action taken against an existing permit holder that results in temporary or permanent loss of the permit. In cases involving suspension, the user's discharge pipe is blocked or plugged to prevent any discharges from entering the sewer.

Before denying, suspending, or revoking a permit, the County must have adequate grounds for taking such action. These grounds are specified in the user's wastewater discharge permit and the County Code. Examples of grounds for permit denial, suspension, and revocation are: failure to comply with permit conditions; a past history of violations; the failure to follow prescribed procedures; failure to pay a permit fee or penalty; continued SNC; harming of the environment, community or treatment plant processes; and failure to meet compliance schedule deadlines.

When Applied: See Section IV

How Applied: A certified letter is sent by the Director of DPW conveying the details of the permit suspension or revocation. In cases where expediency is required to halt a discharge, the letter will be hand delivered to the facility.

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Personnel Responsible: The Pretreatment Program Manager will prepare the letter in consultation with the County Office of Law and the Director of DPW will approve and send the letter.

### 3. Compliance Schedules

Description: A schedule of required activities (also called milestones) necessary for a discharger to achieve compliance with all pretreatment program requirements. This schedule may include requirements for additional sampling and reporting, require implementation of maintenance or best management practices, implementation of pollution prevention activities, and/or installation of a pretreatment system. A compliance schedule can be contained in an Administrative Order, which is the type of enforcement action required for an SNC violation. The Compliance Schedule can also be placed in the dischargers permit.

When Applied: See Section IV

How Applied: Depending on the circumstances, a permit can be amended to include a compliance schedule, or a compliance schedule can be included in an Administrative Order.

Personnel Responsible: Pretreatment Program Manager will amend the permit to include compliance schedule. If a compliance schedule is included in an Administrative Order, then the Pretreatment Program Manager will consult the County Office of Law and the Director or Deputy Director will issue.

### 4. Suspension of Sewer Service

Description: Suspension of sewer service is the revocation of an industrial user's privilege to discharge industrial wastewater into the County's sewer system. Suspension may be accomplished by physical severance of the industry's connection to the collection system, by issuance of an Administrative Order, which compels the user to terminate its discharge, or by a court ruling. As required by the Federal General Pretreatment Regulations, and as stipulated in the County Code, the County must be able to immediately and effectively halt or prevent any discharge of pollutants to the POTW which reasonably appears to present an imminent endangerment to the health or welfare of persons, or to

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the environment, or which threatens to interfere with the POTW's operations.

In addition to being an effective remedy for past or continuing noncompliance, the prospect of suspension of service deters unauthorized or illegal discharges.

When Applied: See Section IV

How Applied: The user is notified verbally, and then in writing with a letter from the Director of DPW that the users service connection is to be suspended on a certain date.

Personnel Responsible: Pretreatment Program Manager with consultation from the County Office of Law drafts the termination letter, which is then signed and sent by the Director of DPW.

#### 5. Publication in the Newspaper

Description: Public Notices, as required by the Federal Pretreatment Regulations, and the County Code, are published annually in the local newspaper detailing any dischargers in SNC. Information relating to the SNC (i.e., Name and address of discharger; description of violation; enforcement actions taken by the County; corrective actions taken by the discharger; description of compliance schedules issued; and discharger's current compliance status) is summarized in the Public Notice.

When Applied: See Section IV

How Applied: A local newspaper, which has the largest circulation in the County, is contacted for publication of the Notice.

Personnel Responsible: Pretreatment Program Manager or staff

#### 6. Recovery of Departmental Expenses Associated with Monitoring Noncompliance

Description: Reimbursement of Departmental expenses associated with any loss or damage caused by a violation of the wastewater discharge requirements, by a discharge producing a deposit or obstruction, by damage to or impairment to the County system. Expenses associated with responding to noncompliance include, but are not limited to personnel expenses (wages, meals, over time); materials

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used (piping, heavy equipment, chemicals); and sampling and analytical costs. Expenses include court costs and attorney's fees.

When Applied: See Section IV

How Applied: A certified letter from the Director or Deputy Director is sent to the discharger requiring payment of Department expenses within 30 days.

Personnel Responsible: Pretreatment Program Manager along with other departmental managers assess costs and the Director or Deputy Director approves and requests payment.

## B. Judicial Enforcement

### 1. Civil Fines/Injunctive Relief

Authority: Section 13-1-107(a) of the County Code allows the County to initiate injunction proceedings, actions for specific performance, or any other appropriate proceedings.

Description: Civil fines and injunctive relief can be obtained through court actions against industrial or commercial users. Relief includes orders requiring that the violation(s) be corrected and civil fines be paid. Relief can include the recovery of costs and attorney's fees to the POTW in certain situations, as discussed above. Civil actions can be instituted two different ways – by the issuance of civil citations or by filing a complaint for injunctive and other relief.

Civil fines: A violator is liable for a civil fine of \$1,000 for the first violation; \$5,000 for the second violation; and \$10,000 for the third or any subsequent violation of the Wastewater Discharge Requirements of the Anne Arundel County Code. Each day that a violation exists constitutes a separate civil offense. A violation constitutes a second, third, or subsequent violation if the violator previously paid a civil fine or was found guilty of or placed on probation before judgment for a violation of the same provision of the Anne Arundel County Code at the same or different location or a violation of another provision of the same article of the Code at the same location.

The maximum fine that can be obtained by civil citation is \$1,000. Therefore, civil citations can be issued for first offenses; if the

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violation is a second, third, or subsequent violation, a complaint for an injunction must be filed.

All fines collected by the District Court are remitted to the County.

**Civil Citations:** A user who fails to comply with the provisions of Article 13, Title 5, Subtitle 5 of the Anne Arundel County Code can be served with a civil citation. A civil citation must be signed by an employee of the Department who meets the training and qualifications for the issuance of the civil citations as determined by the Director. The citation can be served by the Department employee personally or by certified mail, or by private process or sheriff service. A violator served with a citation has the option to pay the civil fine within 30 days of the date of the citation or elect to stand trial within 25 days of the date of the citation. The citation also directs the violator to take corrective measures. On receipt of a notice of intention to stand trial, the Department shall forward the citation and accompanying documents to the County Office of Law for transmittal to the District Court of Maryland for Anne Arundel County. On receipt of the citation, the District Court schedules the case for trial and notifies the violator and the County. Relief can include an order directing the violator to pay the fine and correct the violation.

**Actions for Injunctive and other Relief:** Appropriate for a user who violates the provisions of Article 13, Title 5 Subtitle 5 either for a second, third, or subsequent time (see definition above), or creates an emergency situation where injunctive relief is necessary to halt or prevent discharges which threaten human health or the environment, or interfere with the POTW. Upon referral from the Department to the County Office of Law, a Complaint for Injunctive and other Relief will be filed with either the District or Circuit Court for Anne Arundel County. The relief sought will include civil fines and injunctive relief, i.e., an order directing the violator to comply with the code, or to take certain measures.

## II. CRIMINAL ENFORCEMENT

**Description:** Criminal enforcement is the formal process of charging and prosecuting individuals and/or organizations with violations of code provisions that are punishable, upon conviction, by fines and/or imprisonment. The purposes of criminal prosecution are to punish noncompliance and to deter future noncompliance. A person violating the provisions of Article 13, Title 5, Subtitle 5 by

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discharging or causing a discharge producing a deposit or obstruction, or causing damage to or impairing the County system can be found guilty of a misdemeanor and on conviction is subject to a fine not exceeding \$1,000 or imprisonment not exceeding six months or both; and is liable to the County for any expenses, loss, or damage caused by the violation including court costs and attorneys' fees. Each day a violation continues constitutes a separate offense.

- When Applied: See Section IV
- How Applied: Punishment will be imposed by the District Court of Maryland for Anne Arundel County
- Personnel Responsible: County Office of Law in cooperation with State's Attorney, Maryland Attorney General, or US Attorney

In summary, and as noted above, for the less severe actions (i.e. increased self-monitoring, notice of violations, etc.) the Pretreatment Program Manager and/or Director or Deputy Director pursues these actions directly with the industry through formal written correspondence. If the industry fails to abide by these directives, the enforcement actions are escalated. The time period for initiating additional enforcement action can vary from 1 – 180 days after determining additional enforcement action is required. For instances of SNC, escalated enforcement actions are required and are initiated as soon as possible and within 90 days after the SNC determination is made. In cases of threat to public health and safety, life in receiving stream, or treatment plant upset, additional enforcement action is initiated immediately (depending on circumstances, within 1 – 48 hours of discovering threat).

The time frame of completing any of these actions can vary depending on different circumstances, but in general applied as follows:

<u>Enforcement Response</u>	<u>Time for Completion (Days)</u>
NOV	5-30
Recovery of Costs	5-180
AO with Fine	5-30
Compliance schedules	5-180
Civil Citation	60-90
Civil Action for injunction and fine	180
Criminal action/penalties	360
Newspaper publication	360 or by March 15 <sup>th</sup> of each year.
Suspension of Service (If no immediate threats)	180

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Suspension of Service (If immediate threats)	1-60
Suspension of permit	180

#### IV ENFORCEMENT RESPONSE GUIDE

The following table summarizes the typical Anne Arundel County Department of Public Works Pretreatment Program responses to different types of noncompliance. In the event of any conflict contained in this guide and the applicable statutes, the applicable statute shall govern. All legal action will be taken in accordance with the County Code.

This Enforcement Response guide details the type of noncompliance, the circumstances/nature of the violation, the enforcement responses, and the responsible personnel in charge of administering the actions.

#### Abbreviations:

- TFC = Timeframe for completion of enforcement response from date of formal notification
- DD = Deputy Director
- PPM = Pretreatment Program Manager
- OOL = Office of Law
- MDAGO = MD Attorney General's Office
- USAGO = US Attorney General's Office

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## ANNE ARUNDEL COUNTY DEPARTMENT OF PUBLIC WORKS ENFORCEMENT RESPONSES GUIDE

TYPE OF NONCOMPLIANCE	NATURE OF VIOLATION	ENFORCEMENT RESPONSES	RESPONSIBLE PERSONNEL
A. UNAUTHORIZED DISCHARGE (NO PERMIT)			
1. Unpermitted Discharge	Non-categorical discharger unaware of requirement; no harm to POTW/ environment	NOV with application form (TFC = 5-30 DAYS)	PPM or Staff, DD
	Significant Industrial discharger unaware of requirement; no harm to POTW/ environment (results in SNC designation)	Civil Citation with application form, if one time violation (TFC = 60-90 DAYS)	PPM, DD, Director, OOL
		Civil Action for injunction and fine, if more than one time violation (TFC = 180 DAYS)	PPM, DD, Director, OOL
		Newspaper publication (TFC = 360 DAYS)	PPM
	Failure to apply continues after notice by POTW (results in SNC designation)	INDUSTRIAL:	
Civil citation or action for injunction and fine (TFC = 180 DAYS) Criminal action and penalties (TFC = 180 DAYS) Terminate Service (TFC = 1-60 DAYS) Newspaper publication (TFC = 360 DAYS)		OOL, MDAGO, USAGO PPM, Director, OOL PPM	
2. Non-permitted discharge (failure to renew)	Nonsignificant discharger has not submitted application within 10 days of due date	COMMERCIAL:	
		Civil Citation with Application form (TFC = 60-90 DAYS)	PPM, DD, Director, OOL
	Significant discharger has not submitted application Within 10 days of due date	NOV (TFC = 5 – 30 DAYS)	PPM, DD, Director, OOL
		Civil Citation (TFC = 60 – 90 DAYS)	PPM, DD, Director, OOL
	Commercial business has not submitted application within 10 days of due date	Civil Citation (TFC = 60 – 90 DAYS)	PPM, DD, Director, OOL
NOV (TFC = 5-30 DAYS) Civil Citation (TFC = 60 – 90 DAYS)		PPM, DD, Director, OOL PPM, DD, Director, OOL	
Failure to renew continues after notice by the POTW (results in SNC designation)	Suspension of permit (TFC = 180 DAYS) Civil Action for injunction and fines (TFC = 180 DAYS)	PPM, DD, Director PPM, DD, Director, OOL	

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TYPE OF NONCOMPLIANCE	NATURE OF VIOLATION	ENFORCEMENT RESPONSES	RESPONSIBLE PERSONNEL
		Termination of Service (TFC = 180 DAYS) Newspaper publication (TFC = 360 DAYS)	PPM, DD, Director, OOL PPM
<b>B. DISCHARGE LIMIT VIOLATION</b>			
1. Exceedance of local, State or Federal Standard (permit limit)	Isolated, not significant	NOV (TFC = 5-30 DAYS)	PPM or Staff, DD
	Isolated, significant (no harm) (results in SNC designation)	NOV (TFC = 5 – 30 DAYS) Civil Citation, if one time violation (TFC = 60 – 90 DAYS) Civil Action for injunction and fines, if more than one time (TFC = 180 DAYS) Increased monitoring and reports (TFC = 5 – 30 DAYS) Newspaper publication (TFC = 360 DAYS)	PPM or Staff, DD PPM, DD, Director, OOL PPM, DD, Director, OOL PPM or Staff, DD PPM
	Isolated harm to POTW or environment (results in SNC designation)	Civil action for injunction and fines (TFC = 180 DAYS) Newspaper publication (TFC = 360 DAYS) Criminal action/penalty (TFC = 180 DAYS)	PPM, DD, Director, OOL PPM OOL, MDAGO, USAGO
	Recurring, no harm to POTW or environment	Civil Citation (TFC = 60 – 90 DAYS)	PPM, DD, Director, OOL
	Recurring no harm to POTW or environment – Is a TRC or chronic violation from industrial Users (results in SNC designation)	Civil Citation (TFC = 60 –90 DAYS) Civil action for injunction and fines (TFC = 180 DAYS) Newspaper publication (TFC = 360 DAYS)	PPM, DD, Director, OOL PPM, DD, Director, OOL PPM
	Recurring; significant (harm) (results in SNC designation)	Revocation of Permit (TFC = 180 DAYS) Civil action for injunction and fines (TFC = 180 DAYS) Termination of Service (TFC = 1-60 DAYS) Newspaper publication (TFC = 360 DAYS)	PPM, DD, Director PPM, DD, Director, OOL PPM, DD, Director, OOL PPM

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TYPE OF NONCOMPLIANCE	NATURE OF VIOLATION	ENFORCEMENT RESPONSES	RESPONSIBLE PERSONNEL
<b>C. REPORTING VIOLATIONS</b>			
1. Reporting Violation	Report is improperly signed or certified	NOV (TFC = 5-30 DAYS)	PPM or Staff, DD
	Report is improperly signed or certified after notice by POTW	Civil Citation (TFC = 60 –90 DAYS)	PPM, DD, Director, OOL
	Late Report - Isolated, not significant (report more than 5 days but no more than 29 days late)	NOV (TFC = 5-30 DAYS) Civil Citation (TFC = 60 –90 DAYS)	PPM, DD, Director PPM, DD, Director, OOL
	Late Report - Significant (report 30 or more days late) (results in SNC designation)	Civil Citation, if first time violation (TFC = 60 –90 DAYS) Civil action for injunction and fines, if more than one time violation (TFC = 180 DAYS) Newspaper publication (TFC = 360 DAYS)	PPM, DD, Director, OOL PPM, DD, Director, OOL PPM
	Repeated significantly late reports or no report at all (results in SNC designation)	Civil Citation (TFC = 60 –90 DAYS) Newspaper publication (TFC = 360 DAYS) Civil action for injunction and fines (TFC = 180 DAYS) Termination of Service (TFC = 180 DAYS)	PPM, DD, Director, OOL PPM PPM, DD, Director, OOL PPM, Director, OOL
	Failure to report spill or changed discharge (no harm) (results in SNC designation)	NOV (if one time violation) (TFC = 5-30 DAYS) Civil Citation (TFC = 60 –90 DAYS) Civil action for injunction and fines, if more than one time violation (TFC = 180 DAYS)	PPM, DD, Director PPM, DD, Director, OOL PPM, DD, Director, OOL
	Failure to report spill or changed discharge (results in harm) (results in SNC designation)	Increase in self-monitoring (TFC = 5-60 DAYS) Recovery of Dept. expenses Newspaper publication (TFC = 360 DAYS)	PPM PPM, DD, Director, OOL PPM

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Civil Citation (TFC = 60 –90 DAYS)  
 Civil action for injunction and fines  
 (TFC = 180 DAYS)

PPM, DD, Director, OOL  
 PPM, DD, Director, OOL

TYPE OF NONCOMPLIANCE	NATURE OF VIOLATION	ENFORCEMENT RESPONSES	RESPONSIBLE PERSONNEL
1. Reporting Violation	Repeated failure to report spills	Civil action for injunction and fines (TFC = 180 DAYS)	PPM, DD, Director, OOL
		Termination of service (TFC = 180 DAYS)	PPM, DD, Director, OOL
	Falsification of report or report information	Criminal action with penalties (TFC = 360 DAYS) Terminate service (TFC = 180 DAYS)	OOL, MDAGO, USAGO PPM, DD, Director, OOL
<b>D. MONITORING VIOLATIONS</b>			
1. Failure to Monitor Correctly	Failure to monitor all pollutants as required by permit	NOV (TFC = 5-30 DAYS)	PPM, DD, Director
		Increase self-monitoring (TFC = 5-60 DAYS)	PPM, DD, Director
	Recurring failure to monitor all or part of the pollutants required by the permit	Civil Citation (TFC = 60 –90 DAYS) Civil action for injunction and fines (TFC = 180 DAYS) Revocation of Permit (TFC = 180 DAYS)	PPM, DD, Director, OOL PPM, DD, Director, OOL PPM, DD, Director
2. Improper Monitoring	Taking incorrect type of sample (i.e. grab vs. composite)	NOV (if one time) (TFC = 5-30 DAYS)	PPM, DD, Director
		Civil Citation (TFC = 60 –90 DAYS)	PPM, DD, Director, OOL
	Tampering with monitoring methods or equipment	Civil action for injunction and fines (TFC = 180 DAYS) Criminal action and penalties (TFC = 360 DAYS) Terminate service (TFC = 180 DAYS)	PPM, DD, Director, OOL OOL, MDAGO, USAGO PPM, DD, Director, OOL
3. Failure to Perform Monitoring	Isolated, not significant, Delay of less than 30 days	NOV (TFC = 5-30 DAYS) Civil Citation (TFC = 60 –90 DAYS)	PPM, DD, Director PPM, DD, Director, OOL
	Significant, delay of 30 days or more (results in SNC designation)	Civil Citation (TFC = 60 –90 DAYS) Civil action for injunction and fines	PPM, DD, Director, OOL PPM, DD, Director, OOL

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(TFC = 180 DAYS)  
 Newspaper publication (TFC = 360 DAYS) PPM

TYPE OF NONCOMPLIANCE	NATURE OF VIOLATION	ENFORCEMENT RESPONSES	RESPONSIBLE PERSONNEL
3. Failure to Perform Monitoring	Repeated significantly late samplings or no sampling at all (results in SNC designation)	Civil action for injunction and fines (TFC = 180 DAYS) Criminal action and penalty (TFC = 360 DAYS) Revocation of Permit (TFC = 180 DAYS) Terminate service (TFC = 180 DAYS) Newspaper publication (TFC = 360 DAYS)	PPM, DD, Director, OOL OOL, MDAGO, USAGO PPM, DD, Director PPM, DD, Director, OOL PPM
E. OTHER PERMIT VIOLATIONS			
1. Compliance Schedule (in permit)	Missed milestone by less than 30 days or will not affect final milestone	NOV (TFC = 5-30 DAYS) Civil Citation (TFC = 60 –90 DAYS)	PPM, DD, Director PPM, DD, Director, OOL
	Missed milestone by more than 30 days or will affect Final milestone (no good cause of delay)	Civil Citation (TFC = 60 –90 DAYS)	PPM, DD, Director, OOL
	Missed milestone by more than 90 days, or will affect Final milestone (no good cause for delay) (results in SNC designation)	Publication in newspaper (TFC = 360 DAYS) Civil action for injunction and fines (TFC = 180 DAYS) Revocation of Permit (TFC = 180 DAYS) Terminate service (TFC = 180 DAYS)	PPM PPM, DD, Director, OOL PPM, DD, Director PPM, DD, Director, OOL
	Recurring violation or violation of schedule in Administrative Order	Civil action for injunction and fines (TFC = 180 DAYS) Criminal action and penalty (TFC = 360 DAYS) Terminate Service (TFC = 180 DAYS)	PPM, DD, Director, OOL OOL, MDAGO, USAGO PPM, DD, Director, OOL
2. Wastestreams are diluted in	Initial violation	Civil Citation (TFC = 60 –90 DAYS)	PPM, DD, Director, OOL

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lieu of treatment

Increased self-monitoring (TFC = 5-90 DAYS) PPM, DD, Director

Recurring violation

Civil Citation (TFC = 60 –90 DAYS) PPM, DD, Director, OOL  
 Civil action for injunction and fines (TFC = 180 DAYS) PPM, DD, Director, OOL  
 Terminate Service (TFC = 180 DAYS) PPM, DD, Director, OOL

TYPE OF NONCOMPLIANCE	NATURE OF VIOLATION	ENFORCEMENT RESPONSES	RESPONSIBLE PERSONNEL
Failure to mitigate noncompliance	Does not result in harm	NOV with increased self- monitoring (TFC = 5-60 DAYS) Civil Citation (TFC = 60 –90 DAYS)	PPM, DD, Director PPM, DD, Director, OOL
	Results in harm (results in SNC designation)	Civil Citation (first violation) (TFC = 60 - 90 DAYS) Civil action for injunction and fines (second and subsequent violation) (TFC = 180 DAYS) Newspaper publication (TFC = 360 DAYS)	PPM, DD, Director, OOL PPM, DD, Director, OOL PPM
3. Failure to properly operate and maintain pretreatment facility and/or equipment	Does not result in harm	<p style="text-align: center;">INDUSTRIAL:</p> NOV (TFC = 5-30 DAYS) Civil Citation (TFC = 60 –90 DAYS)	PPM, DD, Director PPM, DD, Director, OOL
	Results in harm – Industrial or Commercial (results in SNC designation)	<p style="text-align: center;">COMMERCIAL:</p> Field Correction Notice (TFC = 5-30 DAYS) NOV (TFC = 5-30 DAYS) Civil Citation (TFC = 60 –90 DAYS)	Inspector, PPM PPM, DD, Director PPM, DD, Director, OOL  PPM, DD, Director, OOL PPM PPM, DD, Director, OOL

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TYPE OF NONCOMPLIANCE	NATURE OF VIOLATION	ENFORCEMENT RESPONSES	RESPONSIBLE PERSONNEL
F. VIOLATIONS DETECTED DURING SITE VISITS/INSPECTIONS			
1. Entry Denial	Entry denied or consent withdrawn. Copies of records denied.	Obtain a warrant and return to facility (TFC = 24 HOURS)	PPM, DD, Director, OOL, Court Co. Police
2. Illegal Discharge	No harm to POTW or environment	Civil Citation (TFC = 60 –90 DAYS) increased self-monitoring (TFC = 5-30 DAYS)	PPM, DD, Director, OOL PPM, DD, Director
	Discharge causes harm or evidence or intent/negligence	Civil Citation (TFC = 60 –90 DAYS) Recovery of Dept. expenses increased self-monitoring (TFC = 5-30 DAYS) Civil action for injunction and fines (TFC = 180 DAYS) Criminal action and penalty (TFC = 360 DAYS) Termination of service (TFC = 1-60 DAYS)	PPM, DD, Director, OOL PPM, DD, Director, OOL PPM, DD, Director PPM, DD, Director, OOL OOL, MDAGO, USAGO PPM, DD, Director
	Recurring violation of Illegal Discharge	Civil action for injunction and fines (second and subsequent violations (TFC = 180 DAYS) Criminal action and penalty (TFC = 360 DAYS) Termination of Service (TFC = 1-60 DAYS)	PPM, DD, Director, OOL OOL, MDAGO, USAGO PPM, DD, Director, OOL
3. Improper Sampling	Unintentionally sampling at incorrect location	NOV (TFC = 5-30 DAYS) Civil Citation if recurring (TFC = 60 –90 DAYS)	PPM, DD, Director PPM, DD, Director, OOL
	Unintentionally using incorrect sample type	NOV (TFC = 5-30 DAYS) Civil Citation if recurring (TFC = 60 –90 DAYS)	PPM, DD, Director PPM, DD, Director, OOL

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	Unintentionally using incorrect sample collection technique	NOV (TFC = 5-30 DAYS) PPM, DD, Director Civil Citation if recurring (TFC = 60 –90 DAYS) PPM, DD, Director, OOL
4. Inadequate recordkeeping	Inspector finds files incomplete or missing (no evidence of intent)	NOV (TFC = 5-30 DAYS) PPM, DD, Director Civil Citation if recurring (TFC = 60 –90 DAYS) PPM, DD, Director, OOL
5. Failure to report additional monitoring	Inspection finds additional files or records	NOV (TFC = 5-30 DAYS) PPM, DD, Director Civil Citation if recurring (TFC = 60 –90 DAYS) PPM, DD, Director, OOL

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## APPENDIX A: SUMMARY OF PRETREATMENT STANDARDS

### PRETREATMENT STANDARDS FOR DISCHARGERS NOT REGULATED BY CATEGORICAL STANDARDS

Pollutant	Daily Maximum <sup>1</sup> (Mg/l)	Daily Maximum <sup>2</sup> (Mg/l)
Arsenic (T)	0.95	1.29
Cadmium (T)	0.11	0.11
Chromium (T)	2.77	1.07
Copper (T)	1.91	1.92
Cyanide (T)	1.20	1.20
Lead (T)	0.69	0.35
Mercury (T)	0.01	0.002
Nickel (T)	3.38	3.98
Silver (T)	0.43	0.43
Zinc (T)	2.61	2.55
Total Toxic Organics (TTO)	2.13	2.13
BOD <sub>5</sub>	See Footnote 3	See Footnote 3
COD	See Footnote 3	See Footnote 3
Suspended Solids	See Footnote 3	See Footnote 3
Phosphorus (T)	See Footnote 3	See Footnote 3
Animal/Vegetable Oil and Grease	See Footnote 4	See Footnote 4
Petroleum Based Oil and Grease	100	100
Lower Explosive Limit	10%	10%
pH	Not less than 6.0 or greater than 10.0	
Temperature	Not greater than 140 <sup>0</sup> F (60 <sup>0</sup> C)	
Closed Cup Flashpoint	Not less than 140 <sup>0</sup> F (60 <sup>0</sup> C)	

T = Total

<sup>1</sup> Daily Maximum for those discharging to Annapolis WRF, Broadneck WRF, Broadwater WRF and Cox Creek WRF.

<sup>2</sup> Daily Maximum for those discharging to Maryland City WRF and Patuxent WRF.

Footnote 3: Wastewater discharge concentrations greater than 250 mg/l for BOD and TSS and concentrations greater than 8 mg/l for Phosphorus are subject to a surcharge, as per County Code Section 5-509.

Footnote 4: No numerical discharge standard exists; however, the following narrative standard applies:

Discharge prohibition of solids or viscous substances in quantities capable of obstructing the flow in sanitary sewers or otherwise interfering with the proper operation of the County system, discharge prohibition of free or emulsified materials that are not readily biodegradable. Discharge prohibition of grease or oil wastes that could solidify at normal wastewater temperatures and contribute to sewer line clogging, skimming and/or grease handling equipment overload, or treatment process interference.

## APPENDIX B: Environmental Protection Agency General Industrial User Inspection Questions

### GENERAL QUESTIONS

#### Usage of Chemicals, Cleaners, and Location of Drains

- Check the proximity of any chemical storage areas to floor drains. What kind of chemicals are stored? Chemicals might include, paint, thinner, solvents, etc. Are the chemicals stored in a way that they could reach the floor drains if spilled?
- Check the floor wash-down procedures (frequency, water usage, detergents). What is the frequency (daily, periodical) of the wash-down? Are high pressure sprays used? Are detergents used? How is the wash water disposed?
- If floor drains are sealed, do employees have access?
  - Check for the use of detergents and chemical cleaners for equipment wash-down. Acids (e.g., muriatic, sulfuric, phosphoric, acetic, etc.), surfactants, caustic soda, soda ash, and phosphates are commonly used as cleaners. How are these materials stored? How are working concentrations of chemical prepared, and who prepares them?

#### Solvents

- Does the facility use any solvents or degreasing agents?
- Are any solvent wastes handled separately from the other cleaning solution wastes?
- Is there any batch pretreatment prior to discharge?
- How are any residual materials, sludges at the bottom of the tank disposed?
- Is there a solvents management plan to reduce solvent waste at the facility?
- If solvents are used, are they redistilled on-site? Does this process generate uncontaminated cooling water? Where is it discharged?

#### Cooling Waters

- Are there any sources of uncontaminated cooling water in the plant? Are there any sources of recirculated or once-through cooling waters? What is the disposal method of the cooling water?
- If contact cooling water is used, is it treated in any way before discharge? What contaminants would be in the water? Are conditioning chemicals added to cooling waters?
- Is there any water cooled machinery used by the facility? What contaminants would be in the water? What is the volume and how is the cooling water disposed?

#### Boiler Discharge

- Check the frequency and volume of any boiler blowdown. Check on the usage of additives to the boiler make-up waters. Do the additives contain any metals or priority pollutants?
- What types of boiler pretreatment is used (e.g., ion exchange, chemical addition, etc.)? Are there any boiler wastes generated?
- What is the frequency and volume of boiler blowdown?
- Is the waste stream acting as a dilution stream at a process monitoring point?
- Are there air pollution control devices which use water? How is the water disposed?

#### Steam Supply and Noncontact Cooling

Steam Supply

- Is the system high or low pressure steam?
- What, if any, are boiler additives? Do they contain chromates?
- How frequent and what is the quantity of boiler blowdown?
- What is the use of the boiler? (hot water? steam? other?)
- Is major cleaning and maintenance done? How often?
- Are ion exchange systems used for boiler feed water? If yes, what types of wastes are generated?
- What water treatment chemicals are used for the boiler? How frequent is preventative maintenance conducted (i.e., cleaning/descaling of the boiler tubes and the boiler drum)?

#### Noncontact Cooling Water

- Is there any cooling water used? (What type? Single pass? Cooling tower?). If single pass, what is it used for? What is the volume? Where is it discharged?
- Are cooling towers used? If yes, what are the chemical additives?
- How frequently are towers blown down? Where does the blowdown go?
- Are closed systems ever by-passed? Under what circumstances?

#### **Discharge Locations and Sampling Points**

- Are the facility's domestic and process wastewaters segregated?
- What method is used to determine domestic and process discharge volumes?
- Are dilution streams accounted for at the monitoring point?
- Does the facility have a sampling point available which is representative of the process wastewaters discharged?

#### **Pretreatment**

- What kind of treatment systems does the facility have in place for each of the various types of process wastewaters discharged? What chemicals are added? How often is the monitoring equipment calibrated?
- Are any of the process wastewaters subject to national categorical pretreatment standards? If so, are dilution waste streams accounted for during monitoring?
- Does the facility combine its waste from the various sources prior to treatment or discharge? Is the combined waste stream formula applicable? If so, is the proposed waste stream volume determination method accurate?

Does the facility have any oil/water separators or sand traps? How often are they cleaned and by whom? Verify documentation.

#### **Solids Disposal**

- How much sludge material is generated? How is the sludge disposed? How much waste is stored on site?
- Is the sludge either a listed RCRA waste or characteristic hazardous waste? Does this facility manifest waste? Who handles the waste transport/disposal?

#### **Radioactive Materials**

- Quantify the maximum quantity of each radionuclide used, stored, and discharged at the facility.
- How are liquid and solid radioactive wastes being disposed of?

- Are they being hauled away? If so, what is the name of the hauler and what is the destination of the waste? Are manifests available?
- Are they being discharged to the sanitary sewer? If so, how often and what are the maximum concentrations in curies?
- Obtain a copy of radioactive user licenses.
- Obtain a copy of any protocols for handling radioactive materials at the facility.
- Obtain a copy of any logs pertaining to radioactive discharges