

NYSDEC – Compliance & Enforcement of NPDES Permits

- **TOGS 1.4.1 - Water Integrated Compliance System Strategy**
 - Criteria to determine priority violations
 - Procedures to assure timely compliance response
 - Quarterly meetings between HQ and Regional staff
- **TOGS 1.4.2 - Compliance and Enforcement of SPDES Permits**
 - Compliance/enforcement options for common violations
 - Focus on SNC violations at majors and significant minors



TOGS 1.4.2 Appendices– Response Guide and Penalty Guidance

- Lists minimum response to violations
- Response within 30 days of detection
- Variety of informal and formal enforcement tools
- Consistent method to determine penalties
- Minimum penalties for all violation types



Case Study – Site Details

- Physical/Chemical facility built in 1980; expanded 1992
- Design Flow 2.0 MGD
- Discharges to Class C waters – best usage fishing.
- Also shall be suitable for primary and secondary contact recreation



Case Study – SNC Effluent Violations

- BOD violations – 5/17 and 6/17
- Added to EPA SNAP Agenda for 11/17 meeting
- DEC response – Inspection in 10/17; complete file review indicated other violations, including expired permit; comprehensive NOV sent 2/18
- Violations continued
- Legal referral initiated, draft order 4/18; executed 11/18



Case Study – Enforcement Response

- Order:
 - Cited all violations 2016 – 2018
 - Compliance schedule – Engineering report to upgrade facility, with schedule. All work must be completed and permit limits met by 12/31/23.
 - Provided BOD interim effluent limits
 - \$38,000 civil penalty - \$8,100 payable, \$29,900 suspended



Thank You

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