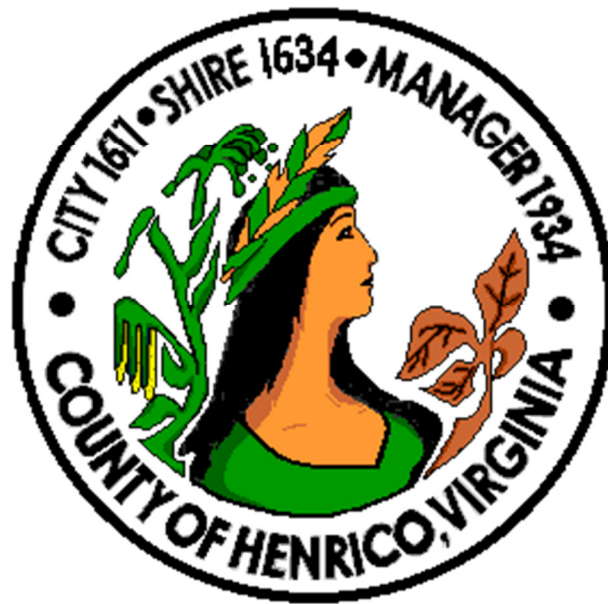


COUNTY OF HENRICO

DEPARTMENT OF PUBLIC UTILITIES



Industrial Pretreatment Program

Enforcement Response Plan

Revised (2014)

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I. Introduction

This Enforcement Response Plan (ERP) has been established as an element of the County of Henrico Department of Public Utilities (DPU) Industrial Pretreatment Program and is in accordance with the Code of Federal Regulation (CFR) Section 403.8, The Virginia Pollution Discharge Elimination System (VPDES) Permit Regulation 9 VAC 25-31-10 et seq., and Chapter 23 (County Sewer Ordinance) of the Henrico County Code.

A. 40 CFR 403.8(f)(5) and 9 VAC 25-31-800(F)(5) requires that the plan include the following information:

1. Describe how the Publicly Owned Treatment Works (POTW) will investigate instances of noncompliance;
2. Describe the types of escalating enforcement responses the POTW will take in response to all anticipated types of User violations and the time periods within which responses will take place;
3. Identify (by title) the official(s) responsible for each type of response;
4. Adequately reflect the POTW's primary responsibility to enforce all applicable pretreatment requirements and standards, as detailed in 40 CFR 403.8 (f)(1) and (f)(2).

B. This plan is intended to serve three main purposes:

1. To provide guidance in enforcement responses that is appropriate in relation to the nature and severity of the violation and the overall degree of noncompliance.
2. To establish guidelines that encourages fair and uniform application of enforcement responses to comparable levels and types of violations.
3. As a mechanism to review the appropriateness of responses.

The purpose of the ERP is to provide for fair and equitable treatment of all users for anticipated enforcement situations. In general, enforcement actions will be taken in accordance with this Enforcement Response Plan. However, the enforcement actions available are not exclusive as discussed in Chapter 23 of the Henrico County Code. Therefore, any combination of the enforcement actions can be taken against a non-compliant user.

II. General Responsibilities

The purpose of this section is to establish general responsibilities for enforcement activities initiated by DPU personnel. It is the intention of DPU to move quickly and responsibly in all enforcement actions. The following guidelines will help ensure that issues requiring enforcement are handled fairly and uniformly for all users.

A. Monitoring Technician I (MT-1)

Responsibilities include:

1. Collect compliance samples (both grab and composite) at permitted and non-permitted industrial facilities and other locations for the County's monitoring program, and any additional samples as needed;
2. Immediately report to either the Monitoring Technician Supervisor or Monitoring and Compliance Section Manager any unusual odors, effluent colors, activities or practices, or any other unusual event noted at an industrial facility while collecting compliance samples.

B. Monitoring Technician II (MT-2)

Responsibilities include:

1. Collect compliance samples (both grab and composite) at permitted and non-permitted industrial facilities and other locations for the County's monitoring program, and any additional samples as needed;
2. Collect compliance samples of liquid hauled waste and strong waste;
3. Immediately report to either the Monitoring Technician Supervisor or Monitoring and Compliance Section Manager any unusual odors, effluent colors, activities or practices, or any other unusual event noted at an industrial facility while collecting compliance samples;
4. Screen compliance data and enter that data into the appropriate databases;
5. Determine compliance with permit conditions through on-site inspections and prepare inspection reports;
6. Identify instances of potential noncompliance and promptly notify the Monitoring and Compliance Supervisor or Monitoring and Compliance Section Manager of the potential noncompliance.

C. Monitoring Technician Supervisor

The Monitoring Technician Supervisor will primarily be responsible for scheduling and coordinating compliance sampling events and conducting facility inspections. The Monitoring Technician Supervisor will:

1. Plan and coordinate compliance sampling events;
2. Screen compliance data and enter data into the appropriate databases;
3. Determine compliance with permit conditions through on-site inspections and prepare inspection reports;
4. Identify instances of potential noncompliance and promptly notify the Monitoring and Compliance Section Manager of potential noncompliance.

D. Monitoring and Compliance Section Manager

The Monitoring and Compliance Section Manager is responsible for oversight of the Industrial Pretreatment Program and Strong Waste Program. The manager will ensure fair and consistent implementation of pretreatment requirements, and that pretreatment activities are in compliance with conditions of VPDES permit #0063690 and Chapter 23 of the Henrico County Code. The section manager will utilize the ERP to consistently review and prepare enforcement actions. The Monitoring and Compliance Section Manager will:

1. Review all violations;
2. Review all documents drafted by the MT-1s, MT-2s and Monitoring Technician Supervisor;
3. Issue and sign permits and enforcement documents;
4. Conduct compliance meetings;
5. Assess penalties for noncompliance upon approval by the Director of DPU;
6. Track enforcement response times.

E. Director of DPU

1. Conduct Show Cause Hearings;
2. Sign Consent Orders;
3. Approve suspension or terminations of water and wastewater services;
4. Initiate a petition for Injunctive Relief;
5. Implement enforcement responsibilities in accordance with Chapter 23 of the Henrico County Code.

F. County Attorney

1. Provide assistance and advice on legal/regulatory pretreatment developments or changes;
2. Advise DPU staff during enforcement matters as required;
3. Consult with the Director of DPU and the Monitoring and Compliance Section Manager on administrative actions and review administrative orders;
4. Manage civil and criminal litigation on behalf of DPU.

III. Response Times and Appropriate Response

After the instance of potential noncompliance has been investigated and determined to be valid, DPU will initiate enforcement action.

A. Response Times

Once noncompliance is determined, the enforcement action must proceed in a timely manner. [It is important to remember that to be effective and fair, enforcement actions must be taken quickly.] By acting quickly, the instance of noncompliance is easier to address and future noncompliance may be lessened. DPU will attempt to initiate all enforcement actions within thirty (30) calendar days of the date the noncompliance is determined valid.

B. Selecting Appropriate Response

Noncompliance will be identified as a result of monitoring, reporting, and assessing treatment requirements. Each instance of noncompliance must be reviewed, documented, and properly addressed. The appropriate enforcement response will relate to the severity and duration of the violation, compliance history, good faith efforts of the violator to comply, harm caused by the violation, and whether the noncompliance resulted in a violation of Henrico's VPDES discharge permit. The following subsections address these factors.

1. Duration of the Violation

DPU must evaluate the duration of the violation to determine the possible effects that may have occurred in the collection system and POTW. The assessment of each specific violation will take into account the volume of the discharge and the strength of the discharge.

2. Compliance History

The compliance history of the facility is one of the most important factors to review prior to selecting the appropriate level of enforcement response. More aggressive enforcement actions will be taken when a facility has frequent violations. When an isolated violation occurs, the compliance history of the facility will be taken into account. DPU must also consider the effectiveness of previous enforcement actions before establishing the level of the next response.

3. Good Faith Efforts

A facility that takes prompt, vigorous efforts to resolve an issue of noncompliance immediately upon notification or discovery of that issue will be considered to have acted in good faith. DPU may choose to be less-aggressive in their initial enforcement approach against a facility that has acted in good faith.

4. VPDES Permit Violation

An instance of noncompliance that is proven to have caused interference or pass-through of the POTW and results in a permit violation for the POTW will be addressed with formal enforcement actions. This

level of response is necessary to ensure that adequate treatment and compliance is achieved promptly. Enforcement actions may include injunctive measures where appropriate.

5. Severity of Violation

Depending on its severity, even an isolated violation could threaten public health and the environment, damage public and private property, or threaten the integrity of the POTW. Factors like 100 gallons versus 100,000 gallons, 5% over the limit vs. 200% over the limit, failure to accurately report a violation, reports two (2) calendar days late versus forty-five (45) calendar days late; all will be considered when assessing the severity of the violation.

6. Harm Caused

Some violations may have negative impacts on the POTW itself. For example, they may result in significant increases in treatment costs, interfere with the operations, harm the POTW personnel or equipment, and/or cause sludge contamination resulting in increased disposal costs. These violations will be met with a civil penalty and an order to correct the violation, in addition to recovery costs. In such instance, DPU staff will work closely with the County Attorney to determine the appropriate response and monetary amounts.

IV. Enforcement Actions

Once noncompliance has been identified, DPU can take a wide variety of enforcement actions. The following are the types of Enforcement Actions that may be taken:

A. *Informal Enforcement*

Informal enforcement is a valuable tool often used to avoid entering into the administrative enforcement process. Users are many times receptive to an informal response and will quickly work to address any minor compliance issues. The following are the informal enforcement options available to DPU:

1. E-mail or Telephone Call – An e-mail or telephone call can be an effective enforcement tool and can be used to inform a user of an approaching compliance deadline or a possible compliance issue. This is often the first step in the enforcement process.

Note: When e-mail or telephone contact is used as an enforcement tool, documentation shall be placed in the enforcement file section of the Permittee’s industrial pretreatment binder. Ensure that the documentation includes the subject, the person of contact, and the date and time of the e-mail or telephone call.

2. Warning Letter (WL) – The warning letter may be utilized by staff as an informal tool. It documents that the user’s representative is aware of instances of noncompliance and is knowledgeable of requirements to achieve compliance. Warning letters shall be sent to the user via certified mail or served personally and will identify the nature of noncompliance and time frames to comply. Documentation shall be placed in the enforcement file section of the Permittee’s industrial pretreatment binder.

B. *Administrative Enforcement*

The administrative enforcement options available to DPU and established in Section 23-151 of the Henrico County Sewer Ordinance (updated 8/13/14) are in place to provide DPU the authority to address compliance issues directly with its users. Each administrative enforcement option is listed below:

1. **Notice of Violation (NOV)** – A NOV is the initial formal enforcement action for a violation and is sent to the user via certified mail. At a minimum, a NOV shall include the following:

- a. Observations and Legal Requirements;
- b. Enforcement Authority;
- c. Future Actions.

2. **Submission of plan** – DPU may require that a user provide a written explanation of any instance of noncompliance and a plan for the satisfactory correction and prevention of future violations, including

specific required actions. This plan is due no later than five (5) days after the IU has received such notice that they are in noncompliance and can be a requirement of a NOV.

3. Show Cause Hearing – A Show Cause Hearing is when the user and DPU meet to discuss the cause and effect of a violation, as well as the enforcement action to which the user will be subject. The user may present its case as to why the violation occurred and why further enforcement should not be applied. Corrective action to be undertaken by the user can also be a part of this meeting. The notice of the hearing shall be served personally or by registered or certified mail (return receipt requested) on any authorized representative of the user at least thirty (30) days prior to the hearing date.

4. Consent Orders (CO) – A Consent Order is an agreement reached between DPU and any noncompliant user establishing specific actions to be taken to achieve compliance within the time period specified in the document. Once established, a CO and the conditions contained within becomes an enforceable document. Such documents shall have the same force and effect as administrative orders issued pursuant to Section 23-151(e) of the Henrico County Code and shall be judicially enforceable.

5. Compliance Orders – DPU may issue an order to a noncompliant user directing that they become compliant within a specified time. This order may also contain benchmarks that the user must achieve while working to become compliant. A Compliance Order may also be referred to as a Schedule of Compliance (SOC).

6. Right to review – Any order issued by the director shall inform the user of his right under Code of Virginia Section 15.2-2122(10)(c) to seek reconsideration by the Director and of the user's right to judicial review of any final order by appeal to the circuit court on the record of the proceedings before the Director.

7. Emergency Suspensions – After informal notice to the user, the Director of DPU may immediately suspend a user's right to discharge whenever suspension is necessary to stop an actual or threatened discharge which appears in the Director's reasonable judgment to present an imminent or substantial danger to the health or welfare of the public. After notice and opportunity to respond, the Director may also suspend a user's right to discharge if the discharge threatens to interfere with the operation of the POTW or presents, or may present a danger to the environment.

8. Termination of Right to Discharge – When all other informal and administrative enforcement responses have failed, the Director of DPU may terminate water and sewer service to the user. The director shall notify the user of the proposed termination of its right to discharge and offer an opportunity to show why its right to discharge should not be terminated. Exercise of this option by the director shall not be a bar to, or a prerequisite for, any other action against the user.

C. Judicial Enforcement

Judicial enforcement will be taken when it is deemed necessary to force the user to correct a violation or violations. The options available to DPU and established in Section 23-152 of the Henrico County

Sewer Ordinance (updated 8/13/14) are in place to provide DPU the authority to address compliance issues directly with its users. Judicial actions may consist of a civil prosecution, a criminal prosecution or an action for injunction, at the discretion of the Director of DPU and the County Attorney.

1. Injunctive relief.

- a. A user that has violated, or continues to violate, any provision of Chapter 23, a wastewater discharge permit, an order issued hereunder, or any other pretreatment standard or requirement, the director may petition the circuit court for a temporary or permanent injunction which restrains or compels compliance with the user's wastewater discharge permit, an order issued pursuant to Chapter 23, or other requirement imposed by Chapter 23. The director may also seek legal or equitable relief, including remediation of any environmental damage caused by the user's violation or noncompliance. A petition for injunctive relief shall not be a bar against, or a prerequisite for, taking any other action against a user.

2. Civil penalties.

- a. A user who has violated, or continues to violate, any provision of a wastewater discharge permit or any other pretreatment standard or requirement shall be liable for a civil penalty of \$1,000 up to \$32,500 per violation, not to exceed \$100,000 per order. In the case of violations of monthly or other average discharge limits, the director may assess penalties for each day of violation.

3. Criminal prosecution.

- a. A user who willfully or negligently violates any provision of a wastewater discharge permit or any other pretreatment standard or requirement, or who willfully or negligently introduces any substance into the POTW which causes personal injury or property damage, shall, upon conviction, be guilty of a class 1 misdemeanor, punishable by a fine of not more than \$2,500.00, imprisonment for not more than 12 months, or both.
- b. A user who knowingly makes any false statements, representations, or certifications in any application, record, report, plan, or other document filed or maintained pursuant to this chapter or a wastewater discharge permit or order issued hereunder, or who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required under this chapter shall, upon conviction, be guilty of a class 1 misdemeanor punishable by a fine of not more than \$2,500.00, imprisonment for not more than 12 months, or both.

V. Significant Noncompliance (SNC)

Significant noncompliance is determined at the beginning of each quarter based on data of the previous six (6) months. Pursuant to 40 CFR 403.8(f)(2)(viii) any one of the following situations will be considered SNC:

- A.** “Chronic violations of wastewater discharge limits” - defined here as those in which sixty-six percent (66%) or more of wastewater measurements taken during a six (6) month period exceed the daily maximum limit for the same pollutant parameter by any amount;
- B.** “Technical Review Criteria (TRC) violations” - defined here as those in which thirty-three percent (33%) or more of wastewater measurements taken for each pollutant parameter during a six (6) month period equal or exceed the product of the daily maximum limit multiplied by the applicable criteria, which are 1.4 for Biochemical oxygen demand (BOD₅), Total suspended solids (TSS), Fats, Oils, and Grease (FOG), and 1.2 for all other pollutants, except pH;
- C.** Any other discharge violation that the Director believes has caused, alone or in combination with other discharges, interference or pass through, including endangering the health of County personnel or the general public;
- D.** Any discharge of pollutants that have caused imminent danger to the environment or has required the Director to exercise his emergency authority to halt or prevent such a discharge;
- E.** Failure to meet, within ninety (90) days of the scheduled date, a compliance schedule requirement contained in a wastewater discharge permit or enforcement order for starting construction, completing construction, or attaining final compliance;
- F.** Failure to provide within forty-five (45) days after the due date, any required reports, including baseline monitoring reports, reports on compliance with categorical pretreatment standard deadlines, periodic self-monitoring reports, and reports on compliance with compliance schedules;
- G.** Failure to accurately report noncompliance; or
- H.** Any other violation, which may include a violation of Best Management Practices, which the Director determines will adversely affect the operation or implementation of the local pretreatment program.

VI. Monitoring and Tracking Compliance

To investigate the compliance status of Industrial User(s) (IU)s, DPU may utilize the following methods:

- A. Review of Self Monitoring Report (SMR) Data** – Each permitted IU is required to submit SMR data on a monthly or quarterly basis. Any permitted IU that does not submit a SMR report by close of business on the due date stipulated in their industrial pretreatment permit is subject to an enforcement action. This enforcement action will document the lateness of the report and will serve as notice to the permitted IU that if their report is not received within forty-five (45) days, the IU may be in SNC. SMRs will be evaluated by DPU personnel for completeness and compliance with applicable permit limitations and requirements. Each SMR shall include the environmental laboratory report and a complete and accurate chain of custody. All attachments shall be closely reviewed. As of January 1, 2012, environmental laboratories must become certified or accredited by Virginia Division of Consolidated Laboratory Services (DCLS) before any analyses can be used for the purposes of the Virginia Air Pollution Control Law, the Virginia Waste Management Act, or the State Water Control Law. Facilities providing DPU with environmental laboratory data to satisfy permit and/or regulatory requirements must ensure their environmental laboratories (commercial or noncommercial) have been accredited or certified by DCLS, or secure the services of an environmental laboratory that has done so.
- B. Review of County Monitoring Data** – All permitted IUs will be sampled at least once annually and analyzed for industrial metals by the County’s Central Environmental Laboratory (CEL). Results will be compared against permit and local limitations for potential violations. A copy of the results for any County compliance monitoring will be e-mailed or mailed to all permitted IUs designated representative.
- C. Proper Submittal of Plans and Reports** – All permitted IUs are required to submit plans and reports as specified in Permits, Compliance Schedules, and/or Notice of Violations. Any plan or report not submitted by the specified date may result in enforcement action.
- D. Field Inspection** – Sections 23-3 and 23-161 of the Henrico County Code grant County employees the authority to enter property to inspect, sample, perform record examination or conduct monitoring. Each permitted IU shall be inspected not less than once a year to evaluate compliance. Annual inspections can be scheduled in advance. However, unannounced inspections of any IU for the purpose of investigating instances of potential noncompliance will be performed as necessary. An inspection report will be issued to the IUs following each inspection. Alleged violations observed during inspections may be addressed verbally in the field and will be noted in the inspection report. If warranted, appropriate enforcement action will be assessed following the inspection.

VII. Enforcement Response Guide (ERG)

A. UNAUTHORIZED DISCHARGES				
Noncompliance	Nature of violation	Range of Enforcement Responses Available	Response Time	Personnel
1. Unauthorized Discharge to County Sewer System	a. No Harm to POTW/Environment	<ul style="list-style-type: none"> • NOV • Industrial Waste Survey/Application (if dealing with business or industrial entity) 	60 days (to complete and return Survey)	M&C Section Manager or Designee
	b. Harm to POTW/Environment	<ul style="list-style-type: none"> • NOV with Industrial Waste Survey/Application (if dealing with business or industrial entity) • Automatic SNC • Emergency Suspension • Cost Recovery 	5 days from receipt of notice	Director of DPU or designee, and/or M&C Section Manager or Designee
	c. Noncompliance with order to submit Industrial Waste Survey/Application	<ul style="list-style-type: none"> • NOV • Submission of a plan • Automatic SNC • Consent Order • Compliance Order 	10 days after due date to complete and return Survey	M&C Section Manager or Designee
2. Slug Discharge	a. Isolated, non-significant	<ul style="list-style-type: none"> • Warning Letter or NOV • Compliance Order • Possible SNC 	5 days of discovery of discharge	M&C Section Manager or Designee
	b. Frequent (more than once/calendar year) with no damage to POTW	<ul style="list-style-type: none"> • NOV • Automatic SNC • Consent Order • Compliance Order 	5 days of discovery of discharge	M&C Section Manager or Designee
	c. Significant, damage to POTW process	<ul style="list-style-type: none"> • NOV • Automatic SNC • Emergency Suspension • Cost Recovery • Judicial Enforcement 	5 days of discovery of discharge	Director of DPU or designee, and/or M&C Section Manager or Designee
3. Discharge outside scope of permit	a. Failure to notify the POTW of changes to process, piping, or pretreatment system	<ul style="list-style-type: none"> • NOV with Industrial Waste Survey/Application for permit modification • Possible SNC 	60 days (to complete and return Survey)	M&C Section Manager or Designee
	b. Discharge of any wastewater not covered under current permit	<ul style="list-style-type: none"> • NOV with Industrial Waste Survey/Application for permit modification • Possible SNC • Emergency Suspension • Cost Recovery • Judicial Enforcement 	60 days (to complete and return Survey)	Director of DPU or designee, and/or M&C Section Manager or Designee

B. DISCHARGE LIMIT VIOLATIONS

Noncompliance	Nature of violation	Range of Enforcement Responses Available	Response Time	Personnel
1. Exceedance of local or permit limitations (via County or Self Monitoring)	a. Initial Exceedance	<ul style="list-style-type: none"> • Warning Letter • NOV • Submission of a Plan 	5 days from receipt of notice	M&C Section Manager or Designee
	b. Repeat (within 6 months) Exceedance	<ul style="list-style-type: none"> • NOV • Submission of a Plan • Compliance Order • Run SNC Calculation 	5 days from receipt of notice	M&C Section Manager or Designee
	c. Three or more Exceedances within a 6-month period	<ul style="list-style-type: none"> • NOV • Submission of a Plan • Compliance Order • Consent Order • Possible SNC • Emergency Suspension • Cost Recovery • Judicial Enforcement 	5 days from receipt of notice	Director of DPU or designee, and/or M&C Section Manager or Designee

C. MONITORING AND REPORTING VIOLATIONS

Noncompliance	Nature of violation	Range of Enforcement Responses Available	Response Time	Personnel
1. Reporting violation (SMR or other required report)	a. Incorrect or incomplete report (But submitted on-time)	<ul style="list-style-type: none"> • Telephone Call • Warning Letter • NOV (If corrected report is not received within the required response time) 	45 days after due date	M&C Section Manager or Designee
	b. Report past due 5 or more days	<ul style="list-style-type: none"> • Telephone Call • Warning Letter 	Within 10 days	M&C Section Manager or Designee
	c. Report past due 45 or more days	<ul style="list-style-type: none"> • Automatic SNC • Compliance Order • Consent Order 	Within 10 days	M&C Section Manager or Designee
	d. Falsification	<ul style="list-style-type: none"> • NOV • Automatic SNC • Compliance Order • Emergency Suspension • Judicial Enforcement 	Within 30 days from receipt of report	Director of DPU or designee, and/or M&C Section Manager or Designee
2. Failure to adhere to Compliance Order (Schedule of Compliance)	a. Missed requirement by 5 or more days	<ul style="list-style-type: none"> • Telephone Call • Warning Letter 	Within 5 days from deadline	M&C Section Manager or Designee
	b. Missed requirement by 30 or more days	<ul style="list-style-type: none"> • NOV • Submission of a Plan • Automatic SNC • Compliance Order • Consent Order 	Within 45 days from deadline	M&C Section Manager or Designee
	c. Failure to meet final compliance deadline	<ul style="list-style-type: none"> • NOV • Automatic SNC • Compliance Order • Consent Order • Emergency Suspension • Judicial Enforcement 	Within 90 days of scheduled date	Director of DPU or designee, and/or M&C Section Manager or Designee
3. Failure to notify	a. Failure to self report permit violation, spill, or change in discharge	<ul style="list-style-type: none"> • NOV • Possible SNC • Compliance Order • Consent Order 	Within 30 days	M&C Section Manager or Designee
4. Monitoring violations	a. Incorrect sample location, samples not collected per permit and/or appropriate standard method, sample not analyzed per appropriate standard method	<ul style="list-style-type: none"> • NOV (will include a reminder of appropriate procedures/methods) • Compliance Order • Possible SNC (if violations continue) 	Within 30 days of receipt of report	M&C Section Manager or Designee

D. OTHER PERMIT VIOLATIONS

Noncompliance	Nature of violation	Range of Enforcement Responses Available	Response Time	Personnel
1. Failure to renew industrial waste discharge permit	a. Failure to submit application 90 days prior to expiration of current permit	<ul style="list-style-type: none"> • E-mail or Telephone Call • Warning Letter • NOV 	Within 45 days	M&C Section Manager or Designee
	b. Failure to submit Industrial Waste Survey/Application after notice by POTW	<ul style="list-style-type: none"> • NOV • Compliance Order • Possible SNC 	Within 30 days of deadline	M&C Section Manager or Designee
	c. Failure to submit renewal Industrial Waste Survey/Application prior to expiration of current permit	<ul style="list-style-type: none"> • NOV • Emergency Suspension • Automatic SNC 	Within 30 days after permit expiration	Director of DPU or designee, and/or M&C Section Manager or Designee
2. Dilution	a. Waste streams purposely diluted in order to achieve compliance with discharge and/or local limitations	<ul style="list-style-type: none"> • NOV • Compliance Order 	Within 30 days of finding	M&C Section Manager or Designee
3. Continuing failure to halt or prevent a discharge which caused or causes imminent endangerment to human health, the environment, or impacts the POTW's ability to meet it's VPDES permit requirements	a. Refusal to discontinue activity upon notification	<ul style="list-style-type: none"> • Take immediate action to issue an emergency suspension • Automatic SNC • Judicial Enforcement 	Immediate	Director of DPU or Designee
4. Entry denial	a. Entry to facility denied or consent withdrawn. Copies of records denied	<ul style="list-style-type: none"> • NOV • Compliance Order • Emergency Suspension 	Within 5 days of denial	Director of DPU or designee, and/or M&C Section Manager or Designee
5. Inadequate record keeping	a. POTW Inspector finds files incomplete or missing	<ul style="list-style-type: none"> • NOV • Compliance Order 	Within 30 days of finding	M&C Section Manager or Designee