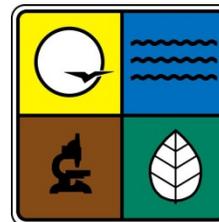


EPA Program Review Round 2

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MISSOURI
DEPARTMENT OF
NATURAL RESOURCES

Permit Review Findings

- Organizational structure presents challenges to ensure consistent permit program implementation.
- The state standard bypass provisions need to be revised to be consistent with the federal bypass provisions.

Permit Review Findings

- Permit applications for major publically owned treatment works do not always contain the required testing for Whole Effluent Toxicity and Priority Pollutants.
- Fact Sheets for general permits need better documentation, including discussion of pollutants involved and basis for permit conditions.

Compliance and Enforcement Findings

- Final Report September 24, 2010 and covered the Federal Fiscal Year 2009
- Review covers 12 Elements

Data Completeness

- Permit and Discharge Monitoring Data for majors is incomplete and inaccurate.
- State does not provide all enforcement actions for major and 92-500 facilities.
- Violations are not linked to formal enforcement actions against major facilities.

Completion of Commitments

- The State is consistently late in submission of Quarterly Noncompliance Report.
- Inspection commitments for four program areas were not satisfied.
- State did not inspect 50% of its major discharges in FFY2009

Quality of Inspections

- Inspection reports did not consistently incorporate all required items.
- Inspections at mechanical plants did not evaluate sludge handling.

Identification of Alleged Violations

- State identifies single event violations but does not enter in federal database
- Compliance Manual does not describe range of responses for deficiencies found during Municipal Separate Storm Sewer System Inspections.

Identification of Alleged Violations

- State did not identify all self-reported effluent exceedances as violations.
- State did not actively monitor, update, and enforce against permit compliance schedules

Timely and Appropriate Action

- Initial responses to violations are timely and appropriate, however EPA identified several cases where the violations continued but case was not referred to central office in timely manner.
- Settlement negotiations in some cases persisted through long and protracted period before reaching settlement.

Timely and Appropriate Action

- Compliance Manual allows compliance schedules to be used in permits as means to resolve permit violations.

Penalty Calculation Method

- Penalties account for gravity but do not account for economic benefit.