

Enforcement: Why You Should Do Your Own Reporting

MWEA Wastewater
Administrators Conference
January 20, 2012
Bavarian Inn Frankenmuth, MI

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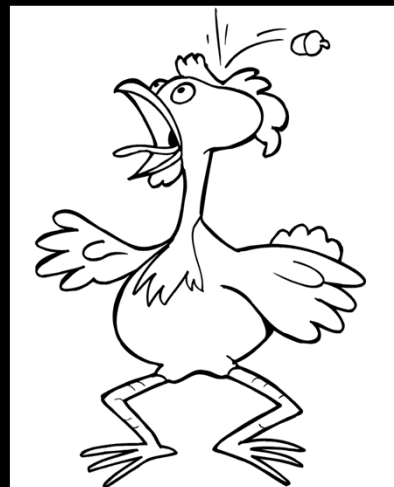
Reason No. 1:

Many people believe that
Dischargers are

POLLUTERS

Reason No. 2:

The media plays
to people who like
“news” (not facts)



Chicken Little:
The Sky is Falling!

The New York Times

Toxic Waters A series about the worsening pollution in American waters and regulators' response

Find Water Polluters Near You

SHARE | FEEDBACK | EMAIL

Across the nation, the system that Congress created to protect the nation's waters under the Clean Water Act of 1972 today often fails to prevent pollution. The New York Times has compiled data on more than 200,000 facilities that have permits to discharge pollutants and collected responses from states regarding compliance. Information about facilities contained in this database comes from two sources: the Environmental Protection Agency and the California State Water Resources Control Board. The database does not contain information submitted by the states. [Full Story](#)

What's in your water? | State enforcement records | Data and comments from the states | The discussion | Series: Toxic Waters >

In order to view this feature, you must download the latest version of flash player here.

Search by city or zip code

Alabama | Alaska | Missouri | Montana

Industrial Waste

September 12, 2009

Pollution Grows With Little Fear of Punishment

By CHARLES DUHIGG

Almost four decades after Congress passed the Clean Water Act, the rate of water pollution violations is rising steadily. In the past five years, companies and workplaces have violated pollution laws more than 500,000 times. But the vast majority of polluters have escaped punishment.

- How Safe Is Your Water?

Clean Water Act Violations:

Find Water Polluters Near You

Select a State

Video: Coal in the Water

Jennifer Hall-Massey explains how water pollution, which she believes is caused by nearby coal companies, has impacted her family and community.

<http://projects.nytimes.com/toxic-waters>

Reason No. 3:

DMR data are confusing,
even if carefully interpreted.

Also misleading, unless you
evaluate all the data!

Reason No. 4: Environmental “activists”

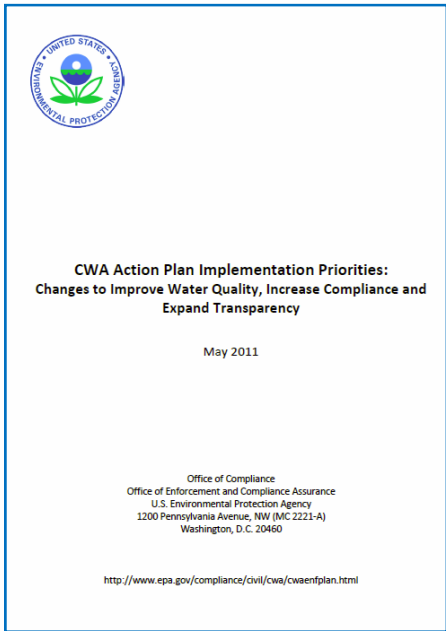
Change:

Compel compliance via public accountability...

Re-tool:

“Too many sources submitting DMRs are in violation today and receive limited to no government responses.”

[emphasis added]



<http://www.epa.gov/compliance/resources/publications/civil/programs/cwa/actionplan-implpriorities.pdf>

EPA is making it easier for people to get data for your facility (even if it's incomplete!)

Enforcement & Compliance History Online (ECHO)

Michigan - ECHO State Dashboard

Change State: Michigan

Facilities (rank): 1675 (22nd)

The Clean Water Act National Pollutant Elimination System (NPDES) program regulates discharges to waters of the United States. The State Dashboard provides an overview of Clean Water Act regulatory oversight activities of the state and EPA. More background about the program is found [here](#). State dashboards provide an easy-to-use summary of key activities under the NPDES program, answer questions like: which facilities are regulated, how many have been inspected, how many have violations and enforcement taken, and what is the quality of the water within the state. Please note the following caveats:

1. this dashboard represents the information that is available in the national database;
2. for some permits and activities, the state is not required to report data to EPA, so the state may have additional information.

For the tabs below, "All" represents all facilities in the national database, "Majors" represent the largest municipal and industrial dischargers in the country, and the "Non-Major (Individual)" tab represents smaller permittees that have an individual permit to discharge. In the future, EPA intends to offer more dashboards related to [specific types of sources](#). State Dashboards are designed to improve transparency and are a component of [EPA's Clean Water Action Plan](#). The format is oriented for high-level statistics. Use the [ECHO Facility Search](#) if you are interested in searching for particular facilities of interest, or go back to the [national map](#) for a comparative view.

Water Program

All Majors Non-Majors (Individual)

The charts on the right side of this dashboard pertain to Clean Water Act facilities in Michigan. The map below displays relevant FY2009 Clean Water Act facilities in Michigan and surrounding areas. [Read more about the Clean Water Act Universe.](#)

ECHO Expert Comparative Charts
ECHO Facility Search

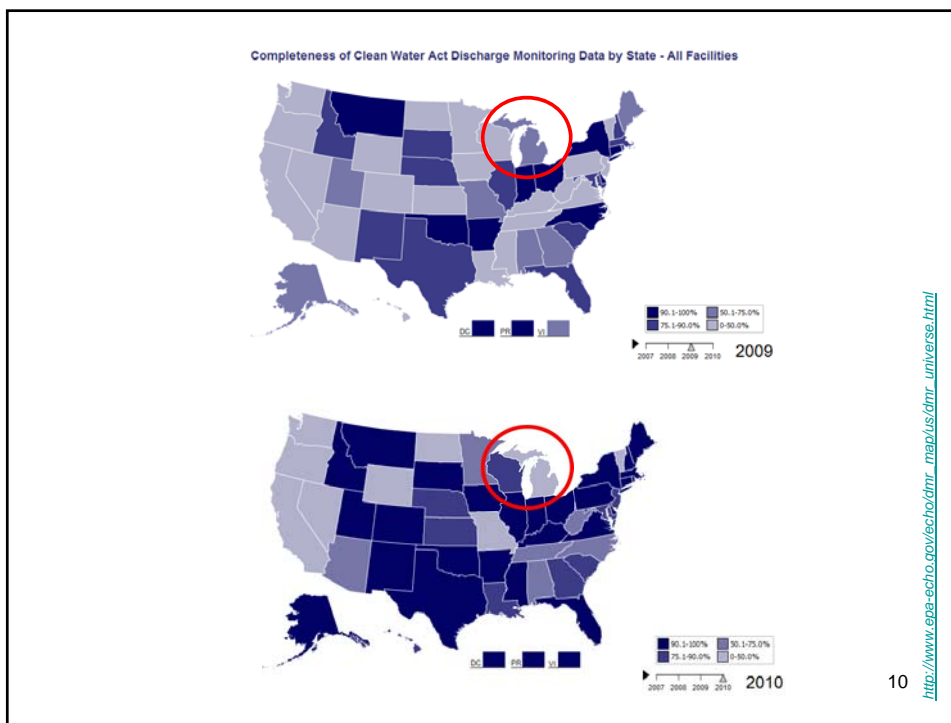
View all available metrics +

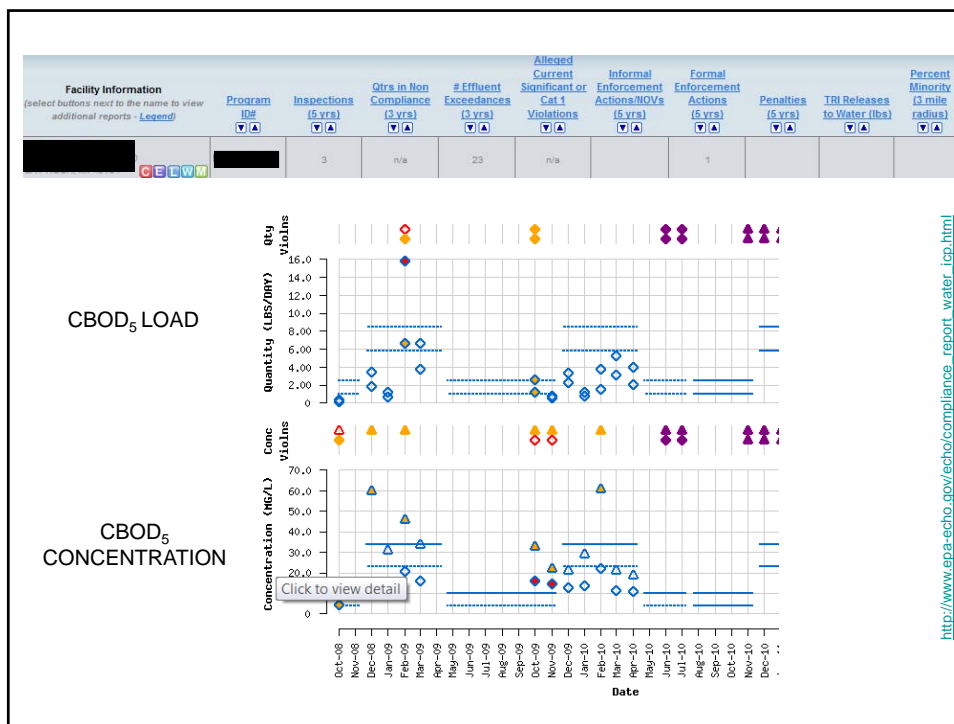
Permit Information View Metrics

Priority Permit Component

Legend: Majors, Non-Majors, Pretreatment

http://www.epa.gov/echo/desh/boards/dashboard_all.php?state=mi





LimnoTech Analysis of 2010 Michigan NPDES Data

- Categorized violation types as Significant and Insignificant (judgment call)
- Mapped / categorized facility information as best we could (87 facilities without locations)
- Eliminated certain facility types (stormwater, groundwater cleanup)
- Generated statistics
 - State
 - Huron River watershed

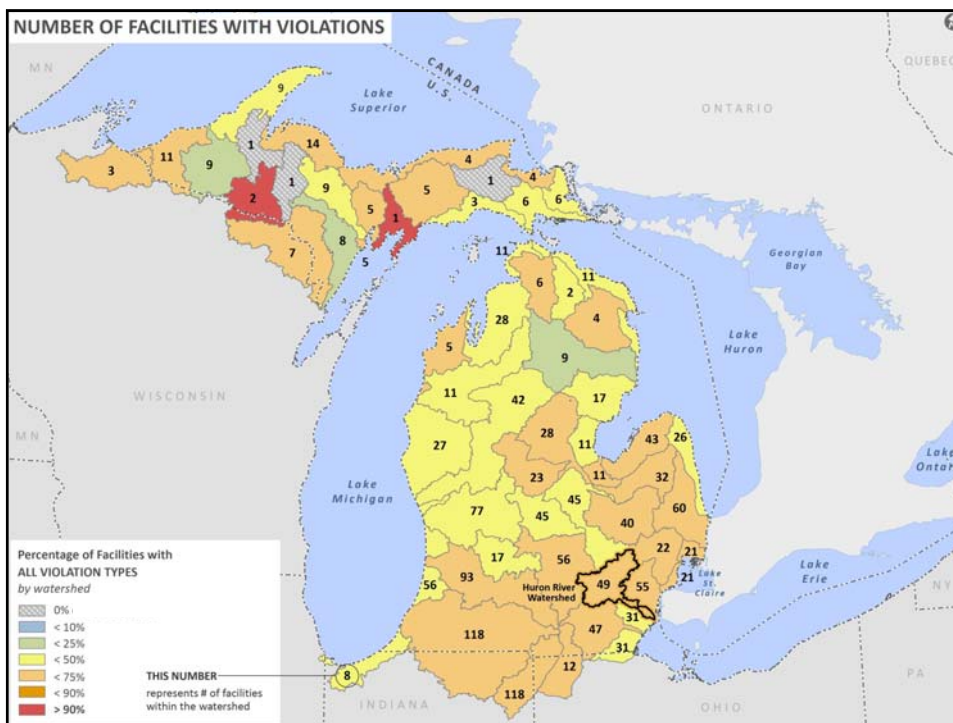
59 Violation Types

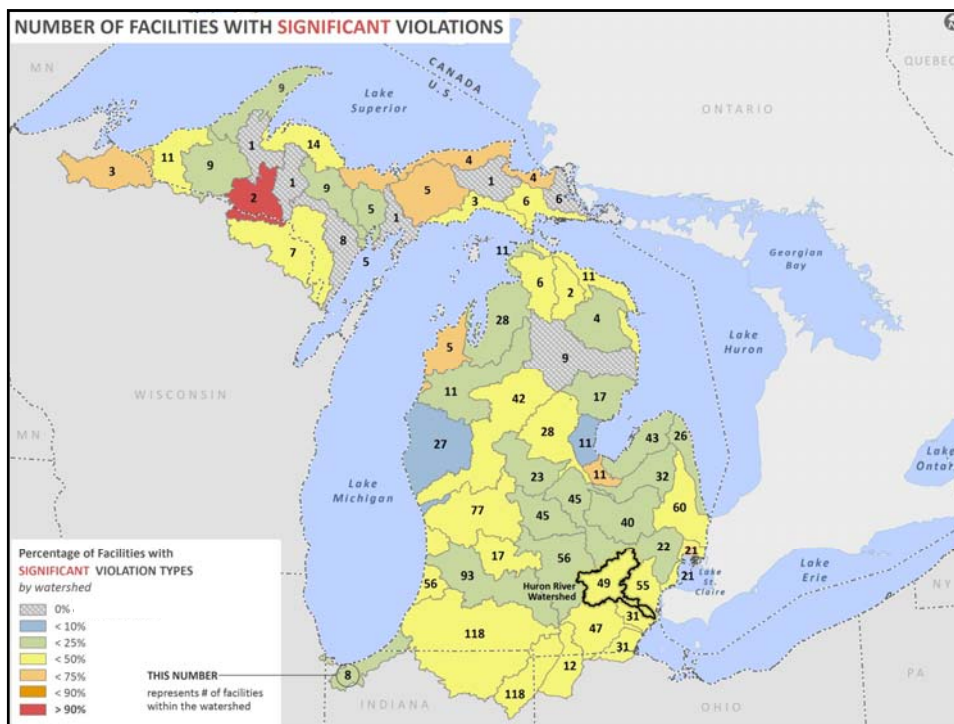
- Significant Violations (21 types)
 - Exceed maximum concentration limit (62%)
 - Violate minimum concentration limit (21%)
 - Exceed maximum load limit (13%)

- Insignificant Violations (38 types)
 - Conc. maximum value or unit not reported (51%)
 - Compliance schedule not received by due date (36%)
 - Value or unit not reported (3%)

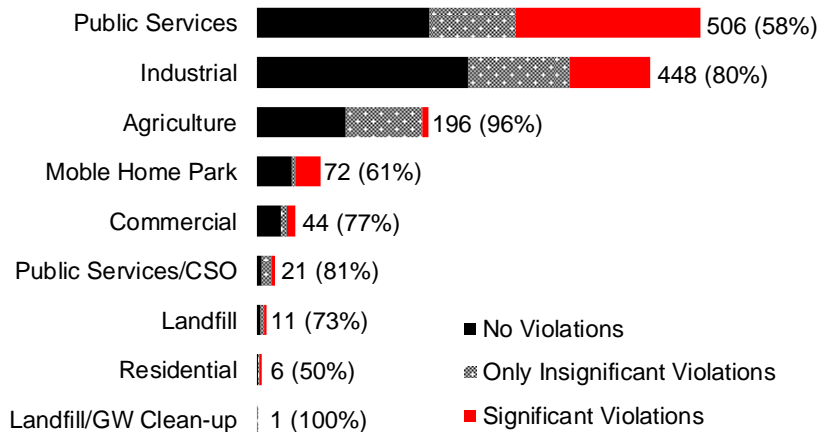


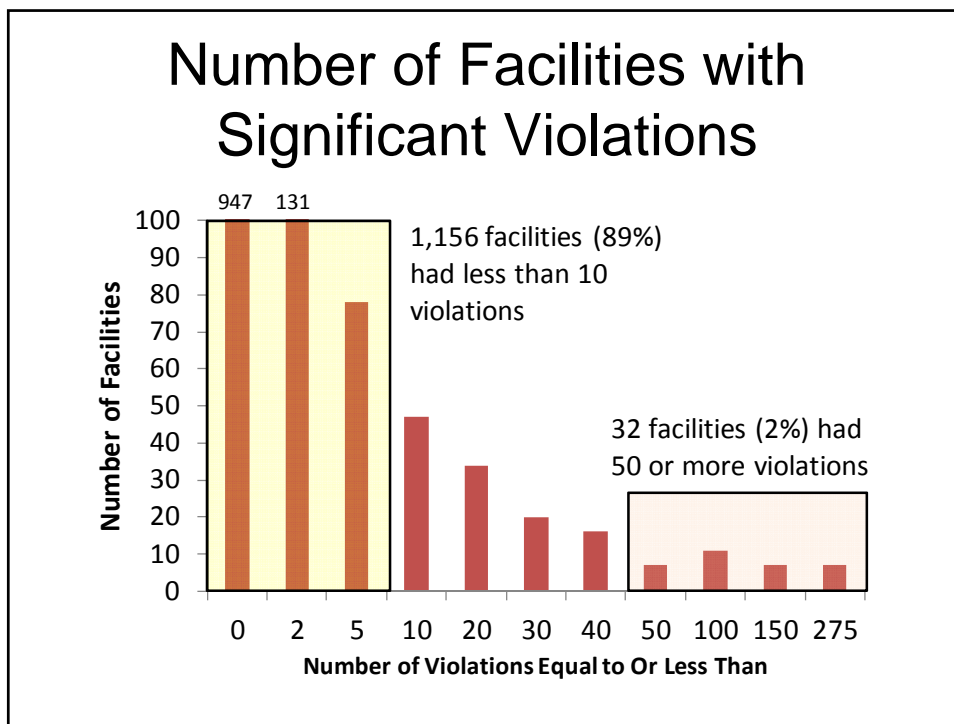
7,150 total violations for 2010 (~80% were significant)





On average, 73% of the 1,305 facilities did not have any significant violations







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Lead Your Community

By getting involved in your community's decision-making YOU CAN HELP preserve land and reduce sprawl.

Urge your local board or council to adopt policies that:

- Encourage compact developments in areas with existing services like utilities, roads, and schools.
- Preserve natural areas and farmland.

Participate in the master plan revision process. Communities must revise their master plan every 5 years and are required by law to involve the public in that process.

Comment on possible zoning ordinance amendments. Zoning ordinance amendments require time for public participation and comment. Many communities have established citizen groups that help them identify ordinances and ordinance amendments to improve their land use planning decisions. Offer to participate in or start such a group in your community.

Sign up for email updates:

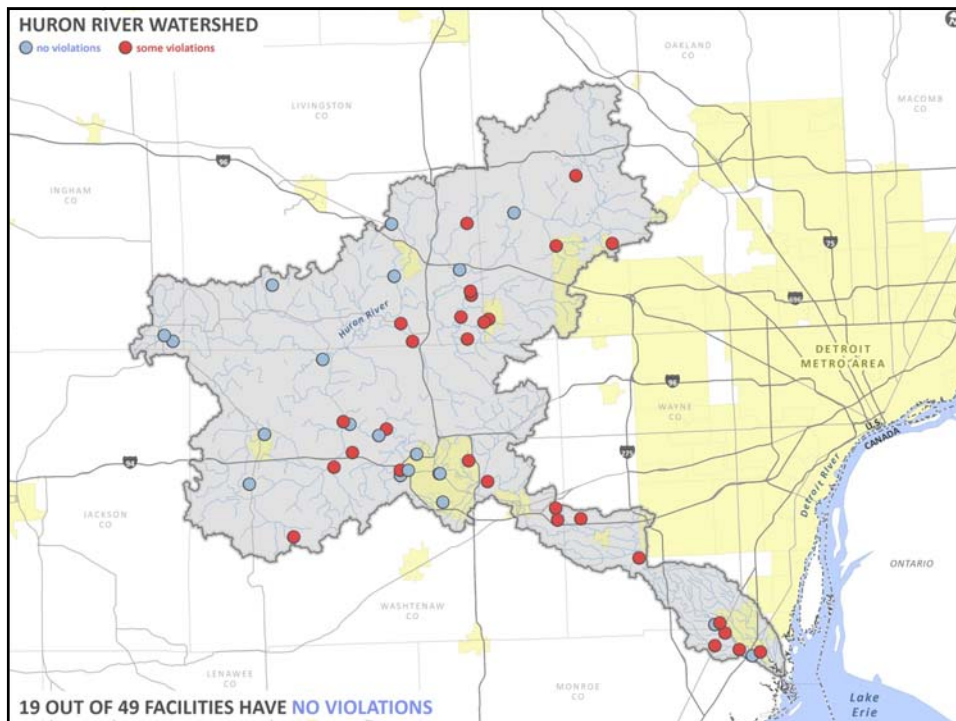
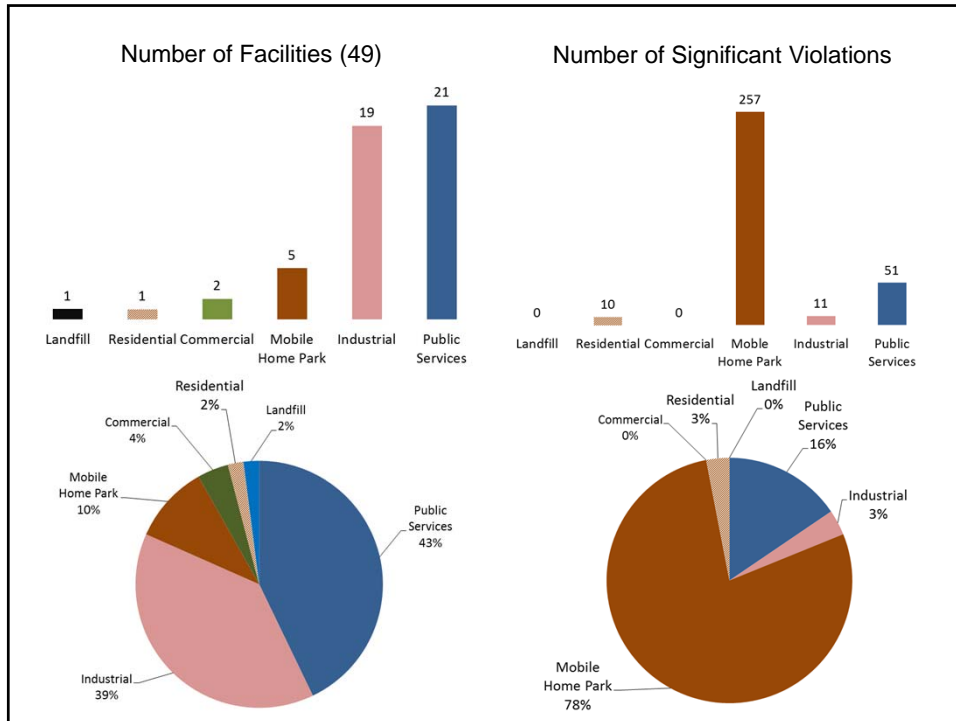
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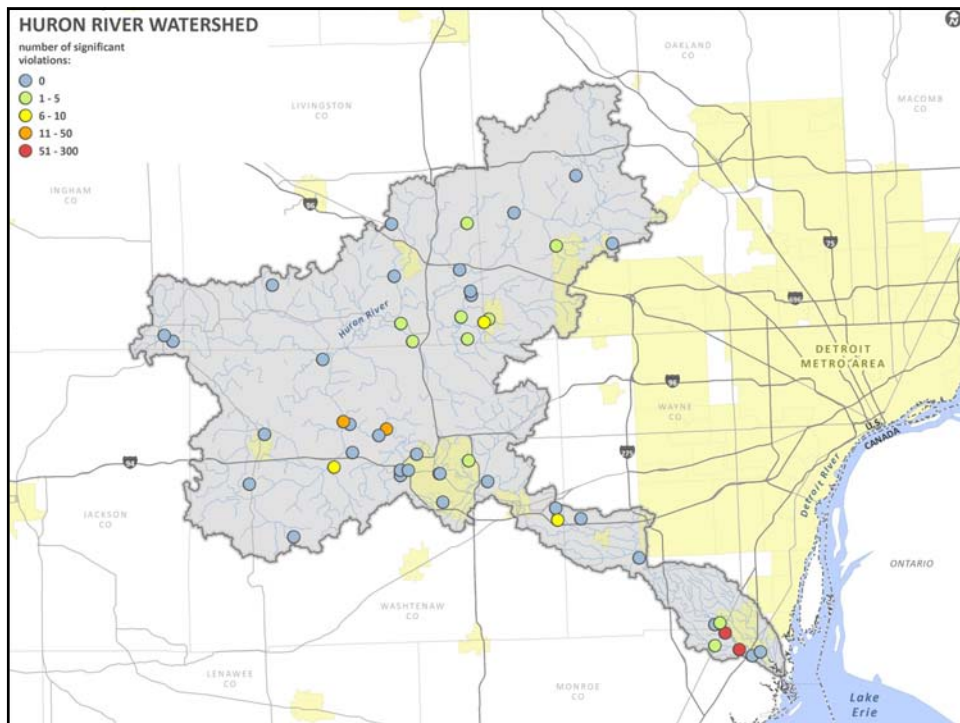
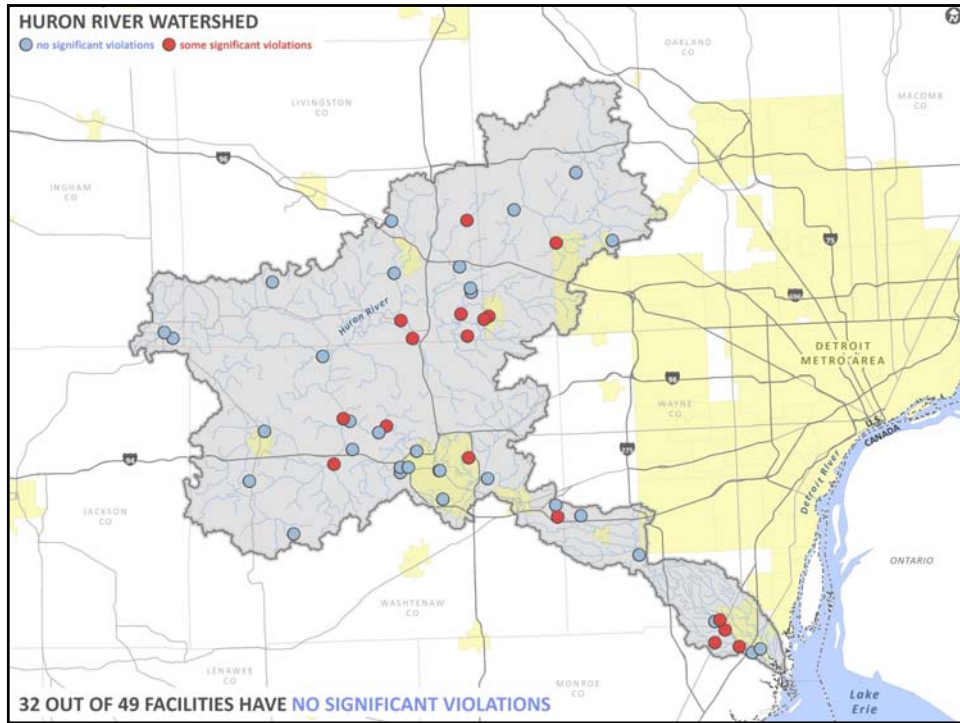
[Sign Up](#)

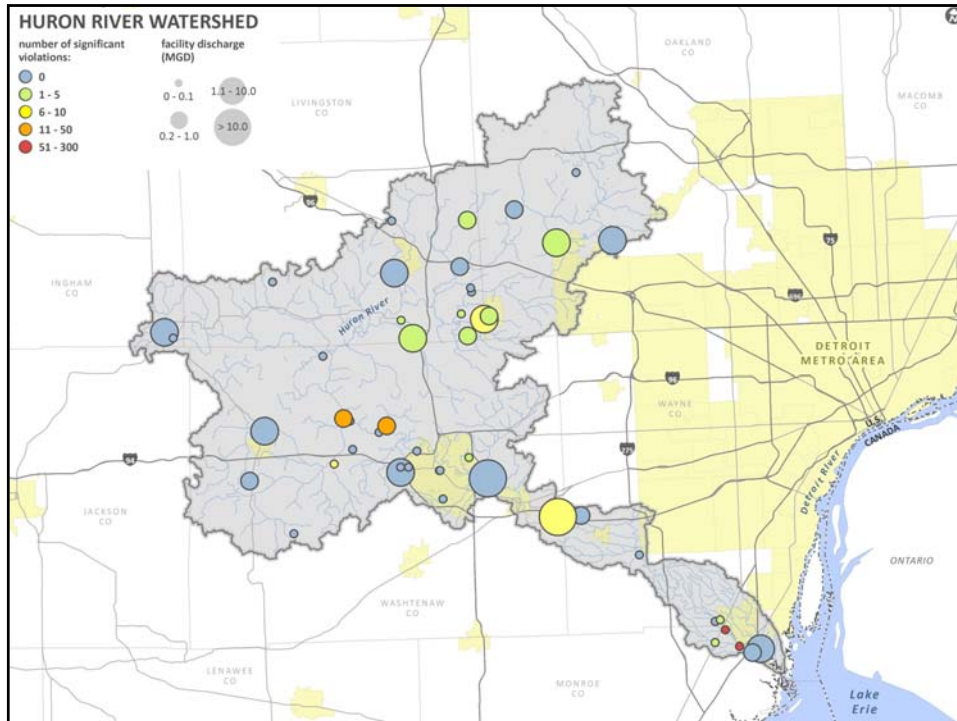
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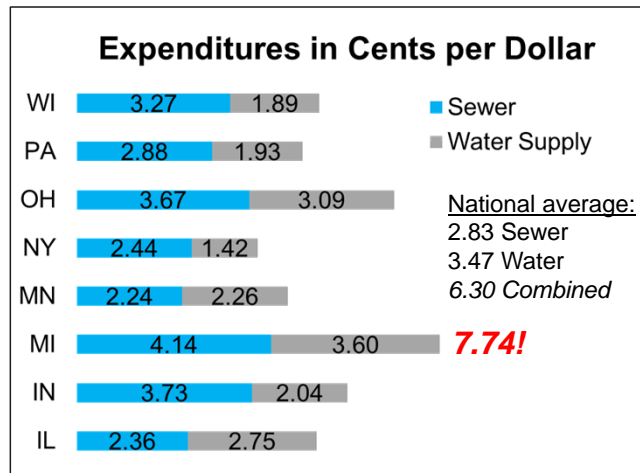


	Limit	Average	Maximum
Americana MHP			
Fecal coliform (cts/100 mL)	400	543	840
CBOD5 (mg/L)	34	18	61
CBOD5 (lbs/d)	2.5	3	7.2
Total Phosphorus (mg/L)	1	2.4	1.5
Total Phosphorus (lbs/d)	0.3	0.4	0.4
TSS (mg/L)	45	49.3	60
Huron Valley MHP & Marina			
Fecal coliform (cts/100 mL)	400	529	600
BOD5 (mg/L)	45	57	78
Total Phosphorus (mg/L)	1	1.2	1.4
TSS (mg/L)	45	64	89

Public Perception is Important

We Need the Public to Look at Dischargers Differently

Great Lakes States Local Government Finances Sewer and Water Supply 2009



Data Source: US Conference of Mayors. Dr. Richard Anderson, Senior Advisor, Mayors Water Council. Racine, WI. Dec. 1, 2011

Integrated Planning & Permitting Policy (IP3)

- New initiative by USCM, NACWA, WEF, EPA, and others
- Use flexibility in existing regulations to:
 - Achieve more environmental benefit for the dollars spent
 - Recognize local governments can't continue to accrue debt to deal with silo'd regulations
- Stakeholders to provide detail
 - EPA workshops (Feb. 17 in Chicago)
 - Pilot IP3s

Questions?

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