

Take the Fear out of Environmental Regulatory Compliance Inspections



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Environmental regulatory inspections may be triggered for a number of reasons. For instance, a change in hazardous waste generator status, a shift in reporting habits, submittal of a permit application, or a citizen complaint could prompt a regulator to come to your facility to take a closer look. Some inspections are the result of agency targeted industries, or simply because it's been a long time since your last facility inspection. In some states businesses that hold federally enforceable air permits are automatically subject to an air inspection every two years.

Regulators may even show up if your business is not covered by a permit or license but they suspect that you need one. Regulatory agencies are able to conduct compliance inspections during normal business hours, with or without an appointment.

Environmental compliance inspections don't have to be unnerving. Here are some simple steps you can follow to help them go smoothly.

Know Your Compliance Obligations

When was the last time you reviewed your air, industrial wastewater discharge, or storm water permit? Do you have limits on material usage or pollutant discharges? What records are you required to keep, and for how long? If you are required to maintain records on a regular basis, can you verify that is being done? On time?

Some compliance requirements aren't written in a permit; for those you will need to review the regulations. Hazardous waste is a good example of this; if you are a small or large quantity generator, you will have a generator ID, but you will not receive a "permit" spelling out your compliance expectations. State and federal regulations will provide direction.

Have a Plan

Be ready for an inspection by knowing where to find your records. Keep a list with the location of each record for each environmental program. Some programs that printers may be subject to are air, waste, Tier II, Toxic Release Inventory (TRI), industrial wastewater, storm water, ozone depleting substances (ODS), or spill prevention control and countermeasure (SPCC). Each of these has its own compliance expectations and may require your operation to acquire permits, develop written plans, file reports, or provide training.

Create a checklist to help you to prepare for the

inspection. In the list, document facility and corporate contacts, record locations, what to document during the inspection, and reminders for follow-up.

Have a Plan B

Always have a Plan B. What happens when the inspector shows up and the person with the primary responsibility for that program is out of the office for the day? Each person responsible for an environmental regulatory program should have at least one trained back-up who is familiar with the program and is able to take the lead in the event of a surprise inspection.

Know Inspection Procedures

Start at the first point of contact. When the inspector arrives, he or she will present their credentials and tell you which program(s) they intend to review. Develop a call tree with the names and phone numbers of the people responsible for environmental programs, facility management, EHS personnel, and legal representation.

The inspection generally begins with an opening conference. The inspector will relay the reasons for the inspection and indicate what he or she plans to review. Record reviews and a walk through the facility to see the regulated processes can be expected. The inspection ends with a closing conference in which the inspector will share general observations or concerns.

Follow Up in a Timely Manner

After the inspection, hold a debriefing meeting with key facility personnel. Identify the things that went right during the inspection and areas with room for improvement. Gather notes from every perspective while the inspection is fresh in everyone's minds.

If the inspector noted any issues of non-compliance or violations, you can expect to receive a letter from the agency documenting the inspection findings and instructions for what you need to do to resolve these issues. Be sure to follow all instructions in the letter and document changes you made to processes or procedures to demonstrate compliance. Respond to the regulator by the deadline indicated in the letter.

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