

SUBJECT: NPDES Inspection and Enforcement Procedure

DATE: January 25, 2018, revised June 2018

APPROVAL: Harold Ward, Director

Hydrologic Protection Unit
Inspection and Water Sampling Procedure

1. When conducting inspections under the West Virginia Water Pollution Control Act (WPCA), the following yearly procedure should be followed:
 - A. All NPDES permits will receive one (1) Comprehensive Sampling Inspection (CSI) per calendar year. Not started permits can use the Comprehensive Evaluation Inspection (CEI) type since no sampling is required. Every outlet associated with the NPDES permit will be inspected and documented on form MR-6HPE. Each outlet with a discharge will be sampled for both applicable field and laboratory samples for all effluent limits assigned to each outlet. For subsequent calendar years, the CSI will be performed in a different quarter to document seasonal variation.
 - B. In the other three (3) calendar quarters, not including the CSI/CEI quarter, at a minimum, a Reconnaissance Inspection (RI) will be conducted and documented on form MR-6HPE (RI may include samples as necessary).
 - If an outlet(s) is newly constructed, the outlet(s) will be sampled for applicable field and laboratory effluent limits assigned to each outlet. Results will be documented on the MR-6HPE.
 - C. When a Notice to Comply (NTC) letter has been issued from HQ for Discharge Monitoring Report code 040 (Exceeds 1.4 Concentration Average), the following procedure will be used:
 - On the next regular HPU quarterly inspection (CSI or RI) the outlet(s)/parameter(s) marked as 040 will be sampled and laboratory results documented on the MR-6HPE. A SEV (A0112)

will be issued if the sample is in violation of the daily maximum effluent limit per NPDES permit.

- D. Citizen Complaint Investigations will use the Inspection Type Follow-Up (FI).
 - E. When conducting a NPDES stormwater only inspection (permits with no outlets or effluent limits) the Inspection Reason is RI and the Inspection Type is SI (Stormwater Inspection). A SI will be conducted quarterly.
2. Whenever a MR-15HPE is issued for SEV standards A0012 and/or A0022, an inspection of the associated West Virginia Surface Coal Mining and Reclamation Act (SCMRA) permit(s) will be made to determine the root-cause, if possible, of the MR-15HPE violation(s). If a root-cause is determined to have caused or contributed to the NPDES effluent violation, the appropriate SCMRA MR-15 violation will be issued to the SCMRA permit.
- i. A0012 – Effluent Limit Violation, violation of effluent limits of permit inspectable units (outlets).
 - ii. A0022 – Narrative Effluent Violation, violation of narrative water quality standards, limits **NOT** associated with permit inspectable units (outlets) effluent limits. Example: 47CSR2 “Conditions Not Allowable”
3. A MR-6HPE Follow-Up Inspection Type will be used when following up on the issuance of a SEV, Inspection Reason is ISEV (Inspection of Single Event Violation) and the Inspection Type is FI. The corresponding MR-16HPE must be completed. This should be conducted after 20 days of the original SEV. If the SEV was issued for A0012, field and/or lab results must be entered on the FI, MR-6HPE.