

STAY OFF THE RADAR SCREEN – MANAGE TO AVOID ENFORCEMENT TARGETING

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WHAT'S ON THE LIST?

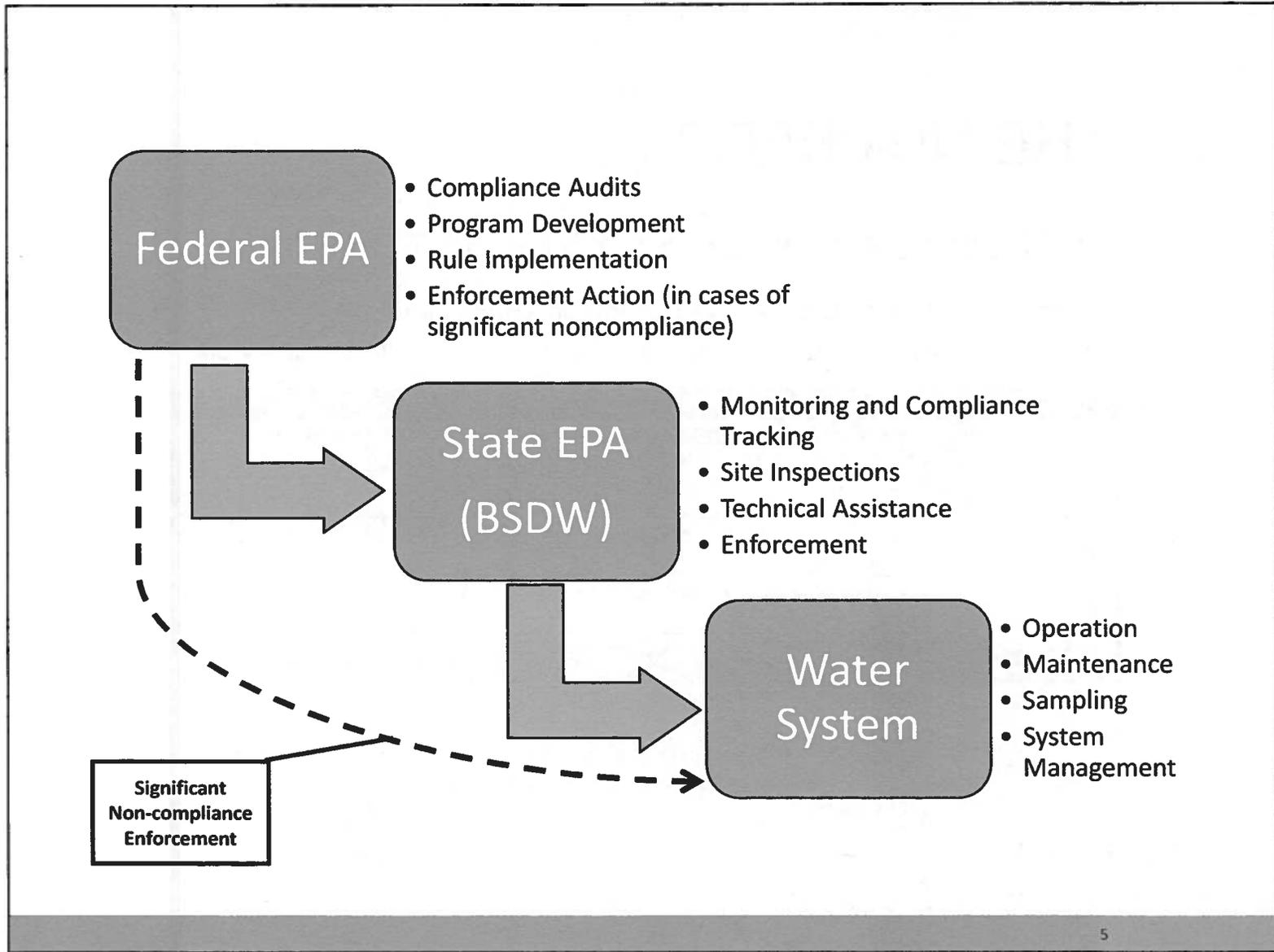
- What is the Enforcement Targeting Tool (ETT) and what does it do?
- How does the ETT work and what does it mean to water systems and operators?
- How do I stay away from this thing?
- How do I get off the ETT?

WHAT IS THE ENFORCEMENT TARGETING TOOL?

- Implemented January 2010
- The purpose is to prioritize public water systems for enforcement response
- Point based system
 - Violations
 - Significant Deficiencies
 - Years from last violation

WHAT DOES THE ETT DO?

- Allows for federal and state EPA determination of which systems require the most enforcement and compliance assistance
- Focuses enforcement attention on water systems with the most serious or repeated violations
- Federal EPA can direct State EPA towards enforcement priorities and track return-to-compliance progress
- In extreme cases, Federal EPA will assume authority and pursue enforcement with or without State EPA involvement



THE NUMBERS...

$$\text{ETT Score} = \text{Sum of } (S1 + S2 + S3 + \dots) + n$$

S = violation severity, generally based on Public Notice Tiers

n = maximum number of years since the system's oldest unaddressed violation

<u>S Values</u>	
10	Acute violation, Tier 1. Nitrate MCLs, Acute Residual Disinfectant Levels, TCR Acute (E. Coli), Turbidity TT, SWTR TT.
5	Other health-based violation, Tier 2. (MCL, MRDL, TT) Also, TCR Repeats and Nitrate MRs
1	Missed samples (monitoring violation), violations/site visit deficiencies, CCR issues, Failure to issue Public Notice
<u>n Values</u>	
0 and up	<p>n = (current calendar year) minus (violation year)</p> <p>(For example, if the PWS's oldest unaddressed violation in the past five years occurred in the current calendar year, an n factor of 0 is assigned. If it occurred two years prior, an n factor of 2 is assigned)</p>

TIERS OF PUBLIC NOTIFICATION

- **Tier 1 (Immediate notice):**
 - This tier is for violations and situations with significant potential to have serious and immediate adverse effects on human health as a result of short-term exposure. Notice is required within **24 hours**.
- **Tier 2 (Notice as soon as possible):**
 - This tier is for other violations and situations with the potential to have adverse effects on human health that do not pose an immediate risk. Notice is required within **30 days**.
- **Tier 3 (Annual notice):**
 - This tier is for all other violations and situations requiring a public notice not included in Tier 1 and Tier 2 or that do not have a direct impact on human health. These violations are typically monitoring and reporting violations. Notice is required within **12 months** and may be included in the CCR, since CWSs must produce CCRs by July 1st of every year.

SO MISSED SAMPLES AND SITE VISIT ISSUES ADD POINTS?

- YES!
- Point amounts based on severity (health risks most severe)
 - A missed Nitrate sample is 5 points where a missed Arsenic would be 1 point
- Unaddressed Significant Deficiencies found during site visits/sanitary surveys add points (5)
 - If they are not addressed, they will be added to the cumulative score
- Federal EPA tracks points
- Systems with high ETT scores are enforcement priority

IS THERE A HIGH SCORE IN THIS GAME?

- You don't want one!
- Systems who accrue more than 10 points come on the Federal EPA 'radar'
 - Nevada EPA must give quarterly reports to Federal EPA on compliance progress with systems over 10 points
 - Significant pressure to return these systems to compliance ASAP!
- Systems with more than 10 points can be targeted for enforcement action directly by Federal EPA
 - Little to no flexibility for system at this point
 - Very rapid timeframe to achieve compliance
- Federally targeted systems are typically those who have demonstrated **willful, significant non-compliance.**

“IT WON’T HAPPEN TO ME”

Scenario 1: You have a non-acute coliform violation (1 monthly positive = 5 points) and you forget to take your repeats (5 points). You’re now at ten points in less than a month!

Scenario 2: Nitrate and Nitrite are due this year; you forget to sample both. You’re now at 10 points.

WHAT DOES FEDERAL AND STATE EPA SEE?

The Enforcement Response Policy Targeting Tool												
- PWS Ranking using Sum of (S1 + S2 + S3 + ...) + n Formula -												
All ETT Scores above the following threshold are highlighted yellow.					11	Database: July 2012 SDWIS/FED Freeze (For most states, this includes data up to March 31, 2011.)						
EPA Region	State	PWSID	PWSName	ETT Score	Sys has Tier 1 viols?	PWS Type	Pop Srvd	Date 1st Significant (>=11)	Repeat Violat or Tool	Total Pts	RTCd On Path to Compliance?	School or Childcare
D9	NV	NV000		12		CWS	62	06/30/2012	24	13	New	N
D9	NV	NV000		12		TNCWS	25	06/30/2012	26	15	New	N
D9	NV	NV000		12		CWS	70	12/31/2008	66	31	Not on Path	N
D9	NV	NV000		12		TNCWS	50	09/30/2009	17	7	Not on Path	N
D9	NV	NV000		12		TNCWS	25	09/30/2009	16	5	Not on Path	N
D9	NV	NV000		11		TNCWS	30	09/30/2009	25	16	Not on Path	N
D9	NV	NV000		10		TNCWS	26	09/30/2009	15	10	Not on Path	N
D9	NV	NV000		10		CWS	3,645	12/31/2009	67	2	Not on Path	N
D9	NV	NV000		9		NTNCWS	6,000	12/31/2008	58	51	Not on Path	N
D9	NV	NV000		9		CWS	200		13	5		N
D9	NV	NV000		9		CWS	188		16	8		N
D9	NV	NV000		8		TNCWS	25	12/31/2008	17	10	Not on Path	N

PWSID	PWSName	EPA_Regi on	Stat e	ETT Score	RetPopSrvd	PWSTy pe	PSourc e	ViolD	VCo unt	CType	pt	VTyp e	VCod e	Compl e	PerBegin Date	Compl e	PerEnd Date	Pts or S	Addr n	PRTCD ts	Implicit ts	TC
NV000		09	NV	82	180	CWS	GW	2007909	1a	TCR		d_M	R	23	10/1/2008	10/31/2008	13	1			1Y	
NV000		09	NV	82	180	CWS	GW	2007608	1j1	Nitrates		d_M	R	3	1/1/2007	12/31/2007	54	5			5	
NV000		09	NV	82	180	CWS	GW	2010433	1j2	Arsenic		a_M	CL	2	1/1/2012	3/31/2012	50					
NV000		09	NV	82	180	CWS	GW	2010432	1j2	Arsenic		a_M	CL	2	10/1/2011	12/31/2011	50					
NV000		09	NV	82	180	CWS	GW	2010429	1j2	Arsenic		a_M	CL	2	7/1/2011	9/30/2011	50					

**LIKE GOLF, LOW SCORES ARE
A GOOD THING.**



SO I'M ON THE ETT LIST, WHAT DO I DO NOW?

- **SAMPLE, SAMPLE, SAMPLE!**
 - If you've missed samples and have been issued a violation, take those samples ASAP
- If you have 5 points from a missed nitrate sample, taking the sample and submitting to BSDW will cause 5 points to come off your score and so on
- If a significant deficiency has been noted on a sanitary survey, fixing the issue and documenting that the issue has been addressed will cause 5 points to fall off your score
- Basically, if you missed a sample or an issue has been noted, sample it or fix it!
- If you can not address a problem immediately, notify us and we will work with you!

A BRIEF EXPLANATION ON SANITARY SURVEY ISSUES...

- Significant deficiency = a defect that is causing, or has potential for causing, the introduction of contamination into the water delivered to consumers.”
- Compliance Schedules
- If not addressed timely, this becomes a violation and will add to the ETT score
- Respond to sanitary survey letters!



SO I'M NOT SURE WHEN OR WHAT I'M SUPPOSED TO MONITOR FOR, WHAT DO I DO?

- Monitoring Assessment Plan
 - Shows all monitoring over a 9 year compliance period
- Monitoring Reminder
 - Sent out annually
- You can request a Monitoring Assessment Plan!
 - We would be happy to answer ANY monitoring questions you may have
- If you don't know what you have to do at any point in time, just ask!
- BSDW main line – **775-687-9521**
- Web site - <http://ndep.nv.gov/bsdw/>

- Monitoring Reminders sent out annually
- Highlights all monitoring required for one year
- Highlights sample collection period (if applicable)
- If the sample has been collected, submitted and entered, **Need Result?** Will be blank

MONITORING REQUIRED				
Samples required between 1/1/2013 and 12/31/2013.				
NV0001103	MARIGOLD MINE POTABLE WATER SYSTEM			
County	Source	Type	Population	Activity Date
HUMBOLDT	GW	NTNC	320	11/17/2011
Sample schedule for COLIFORM (TCR)				
Start Date:	10/1/2011	Season:	1/1 to 12/31	Monitoring Requirement: 1 per QT
Water System Facility Schedules				
Facility Id:	DS01	Facility Name:	DISTRIBUTION SYSTEM	
Sample Schedule for DISINFECTION BYPROD				
Monitoring Period:	1/1/2013 to 12/31/2013	Monitoring Requirement:	1 sample per YR	
Seasonal Collection Period:	7 to 9/30	Sample Collection Year:	2013	
Sample must be collected by: 12/31/2013				
Analytes Included in group:	Analyte Code:	Date of latest result(s):	No. of results collected during monitoring period:	Need Result?
TOTAL HALOACETIC ACIDS (HAA5)	2456		0	Yes
THM	2550		0	Yes
Sample Schedule for LEAD AND COPPER				
Monitoring Period:	1/1/2013 to 12/31/2013	Monitoring Requirement:	10 sample per YR	
Seasonal Collection Period:	None	Sample Collection Year:	2013	
Sample must be collected by: 12/31/2013				
Analytes Included in group:	Analyte Code:	Date of latest result(s):	No. of results collected during monitoring period:	Need Result?
COPPER, FREE	1022	5/23/2012	0	Yes
LEAD	1030	5/23/2012	0	Yes
Facility Id:	W01	Facility Name:	WW-1	
Sample Schedule for NITRATE				
Monitoring Period:	1/1/2013 to 12/31/2013	Monitoring Requirement:	1 sample per YR	
Seasonal Collection Period:	None	Sample Collection Year:	2013	
Sample must be collected by: 12/31/2013				
Analytes Included in group:	Analyte Code:	Date of latest result(s):	No. of results collected during monitoring period:	Need Result?
NITRATE	1040	12/14/2011	0	Yes
Sample Schedule for VOCs PHASE 2 & 5				
Monitoring Period:	1/1/2013 to 12/31/2013	Monitoring Requirement:	1 sample per YR	
Seasonal Collection Period:	None	Sample Collection Year:	2013	
Sample must be collected by: 12/31/2013				
Analytes Included in group:	Analyte Code:	Date of latest result(s):	No. of results collected during monitoring period:	Need Result?
1,1,1-TRICHLOROETHANE	2561	5/23/2012	0	Yes
1,1,2-TRICHLOROETHANE	2565	5/23/2012	0	Yes
<small>NV0001103 MARIGOLD MINE POTABLE WATER Page 1 of 2 Date Printed: 3/18/2013 9:52:25 AM</small>				

- Highlights all monitoring over a 9 year compliance period
- If there are chemical detections, monitoring frequencies *can* change
- We don't automatically send these out but you can request them!

Nevada Division of Environmental Protection
Monitoring Assessment Plan

PWS: NV0001103 NAME: MARIGOLD MINE POTABLE WATER SYSTEM
Total Coliform Bacteria Monitoring: Starting 10/1/2011 1 Per QT

Facility: DS01 DISTRIBUTION SYSTEM

GrpName	Crit Freq	2011	2012	2013	2014	2015	2016	2017	2018	2019
DISINFECTION BYPRODUCTS	1 YR	MR								
LEAD AND COPPER	10 6M	MR								01/01/2012 - 05/30/2012
LEAD AND COPPER	10 6M	MR								07/01/2012 - 12/31/2012
LEAD AND COPPER	10 YR			MR	MR	MR	MR	MR	MR	MAY APPLY FOR LCR SCHEDULE RE-EVALUATION IN 2014

Facility: W01 WW-1

GrpName	Crit Freq	2011	2012	2013	2014	2015	2016	2017	2018	2019
ARSENIC	1 3Y	MR			MR			MR		
IOC CYANIDE	1 3Y	MR			MR			MR		MAY APPLY FOR WAIVER IN 2020
IOC FLUORIDE	1 3Y	MR			MR			MR		
IOCS PHASE 2	1 3Y	MR			MR			MR		MAY APPLY FOR WAIVER IN 2020
IOCS PHASE 5	1 3Y	MR			MR			MR		MAY APPLY FOR WAIVER IN 2020
NITRATE	1 YR	MR								
NITRITE	1 3Y	MR			MR			MR		
SECONDARY IOCS	1 3Y	MR			MR			MR		
DOCS PHASE 2 & 5	1 9Y	MR								
VOCS PHASE 2 & 5	1 QT		MR							
VOCS PHASE 2 & 5	1 YR			MR	MR					
VOCS PHASE 2 & 5	1 3Y							MR		

MR = Monitoring Required
RW = Renew Waiver

Tuesday, November 22, 2011

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WHO DO I CALL?

Public Water System Compliance Branch

Andrea Seifert — Supervisor, Professional Engineer IV 687 - 9526

Vacant — Environmental Scientist II, Chemical Monitoring Rules 687 - 9448

Jim Larson — Staff III Professional Engineer, Plan Review & Arsenic Compliance, Las Vegas 702 486-2850 x253

Latricia Lord — Environmental Scientist III, Total Coliform Rule 687 - 9516

Reggie Lang — Staff III Professional Engineer, Plan Review & Surface Water Treatment 687 - 9528

Ross Cooper — Environmental Scientist III, Consumer Confidence Report & Lead and Copper Rule 687 - 9522

Engineering Branch

James Balderson — Supervisor, Professional Engineer IV, Vulnerability Assessment 687 - 9517

Andrew Asgarian — Staff III Professional Engineer, Plan Review, Las Vegas 702 486-2850 x249

Bert Bellows — Staff III Professional Engineer, Plan Review & Arsenic Compliance 687 - 9525

Chris Peterson — Staff III Professional Engineer, Plan Review 687 - 9529

Lisa Kremer — Staff III Professional Engineer, Plan Review 687 - 9524

Operator Certification Branch

Vacant — Environmental Scientist II, Operator Certification 687 - 9527

Nan Paulson — Admin. Assistant III, Operator Certification 687 - 9447

QUESTIONS?



