

May 2007

## Preparing Your Business for an Ohio EPA Inspection

Under Ohio's laws, district or local EPA offices have the authority to inspect a company at any reasonable time. This fact sheet will help you understand and be better prepared for an Ohio EPA inspection when it happens at your company.



### The Inspection Process

Ohio EPA is divided into several different divisions (for example, air, waste and water), each with its own technical and field staff. This means that one or more different EPA inspectors could visit a company during a year. Ohio EPA routinely conducts unannounced inspections, so an inspector may arrive at your company without prior notice. The inspection process usually includes four main areas:

### Opening Meeting

An opening meeting is conducted at the beginning of the inspection. During the meeting, the inspector will ask for a description of the company's operations. The inspector will ask about the raw materials used and wastes or discharges from the company.

The inspector will review records that relate to environmental regulations. Ohio EPA's inspection authority allows for the inspector to obtain photocopies of records. Some common records reviewed during inspections include:

- permits
- inspection logs
- equipment and operating records
- waste shipping papers
- sampling or monitoring data
- material safety data sheets

### Facility walk-through

The inspector will walk through the facility to observe processes and activities (for example, how the company collects and handles wastes). The inspector will walk around outside the building(s), looking for air emissions, water discharges or to inspect areas where wastes are handled.

During the walk-through, the inspector might ask employees questions about the company's processes or practices. The inspector will take notes during all phases of the inspection, including the walk-through. The inspector might also have a camera and take photographs during the inspection. Typical areas photographed include: process or waste units such as tanks or containers, areas where spills or leaks have occurred, discharges/emissions, etc. Sometimes an inspector will take samples (soil, water, waste) during an inspection.

### Closing meeting

During the closing meeting, the inspector will summarize his or her findings. The inspector cannot always give a complete summary of the inspection, particularly if a situation requires more information or additional research. The inspector will usually describe the general paperwork procedures that follow the inspection such as when to expect the inspection report or follow-up letter.

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## Written Summary

A report is mailed to the company after the inspection. The report includes a letter or summary of the inspection results. The report will identify any EPA violations or other problem areas found during the inspection. A copy of the inspector's field checklist might also be included with the report.

Understanding the inspection process can help you prepare your company for an Ohio EPA visit. Other guidelines to help decrease the possibility of violations or having your company subject to legal action are outlined below.

## Before the inspection . . .

**Be prepared.** Monitor your company's activities so you keep up-to-date and in compliance with the environmental regulations.

**Ask questions.** Call Ohio EPA technical staff or other environmental professionals if you have questions about the environmental regulations. You can call your local Ohio EPA office anonymously and ask questions about the regulations if you are unsure of whether your company is in compliance.

**Make sure there is someone at the company who can contact you immediately or can accompany an inspector if you are away.** Ohio EPA can conduct an inspection even if the business owner is not on site.

**Make sure your environmental records are up-to-date and in order so you can find them easily during the inspection.**

Many companies keep separate records for different program areas (such as separate files for air, waste and water related records). How you organize your records is up to you - the key is making sure that records can be easily retrieved during an inspection.

**When the inspector arrives on site . . .**

**Be sure to see the inspector's identification badge and get a business card.** Inspectors may be from different EPA offices or divisions, so it's important for you to know exactly who the inspector is and what division he or she represents.

## Common Violations Found During Ohio EPA Inspections

### Air Quality Violations

- Installing/operating equipment without permits
- Not keeping records required by permits
- Discharging air contaminants (pollutants) in excess of permit limits
- Not maintaining pollution control equipment

### Hazardous Waste Violations

- Not evaluating wastes to find out if they are hazardous
- Missing or inaccurate records (for example, manifests, inspection logs, training records)
- Containers of hazardous waste open or in poor condition
- Improperly disposing of waste (for example, throwing in trash dumpsters, on the ground)
- Improperly treating wastes

### Wastewater Violations

- Installing new wastewater treatment equipment without a permit
- Discharging wastewater without a permit or permission of local wastewater plant
- Intermittent discharges into drains, storm sewers or on-site septic systems

### Drinking Water Violations

- Drilling a well or installing water treatment equipment without approval
- Not doing bacteriological or chemical sampling

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**Ask the reason for the inspection.** The inspection could be a complaint investigation, routine inspection or part of a special Ohio EPA compliance initiative.

**Accompany the inspector at all times.** The inspector may not recognize unique safety hazards at your company such as ladders, roofs and walkways.

**Be cooperative.** The inspector is on site to assess compliance with environmental regulations. A cooperative attitude from the company is helpful in getting the inspection done quickly and efficiently.

**Ask for a written follow-up letter or inspection report.** This is usually standard procedure, but ask when you will receive the letter or report. Remember, inspection reports are public records and you have a right to know the findings.

## After the inspection . . .

If your company receives a Notice of Violation (NOV) letter after an inspection, here are some simple dos and don'ts to remember:

**Do** be sure that you read and understand the NOV. If you have questions about anything in the letter, call the inspector directly. You may want to call the inspector shortly after getting the NOV to acknowledge that you received it.

**Do** follow the instructions in the NOV and take timely actions to correct violations. As violations are corrected, document and submit this information to the inspector.

Most NOVs include a deadline for response. **Do** ask for additional time if you feel the company needs this time to prepare a response to the NOV or to correct violations. Ohio EPA provides some flexibility to companies in responding to NOVs, if it is known that you are working on the problem.

**Do** keep the inspector informed of your progress in correcting violations. Remember though that your company remains in violation (and subject to enforcement action) even if additional time in responding to the NOV is granted. It is still important to return to compliance as quickly as possible.

**Do** talk with the inspector directly if you are unclear about what you need to do to correct violations. Most NOVs will state what the company needs to do to correct violations, but ask if you're not sure. Talk with the inspector about how to correct violations. The company can probably correct the violations on its own without hiring outside help.

**Do** ask for an explanation of the enforcement process. Receiving a NOV is to be taken seriously, however, it doesn't necessarily mean that the company will also receive a penalty. The NOV is just the first step in the enforcement process. Often, when a company

works diligently to correct violations, Ohio EPA does not seek fines or penalties.

**Do Not** throw the NOV away. Failure to respond to the NOV and take corrective measures will usually result in a more serious enforcement action (which could mean fines or penalties).

**Do Not** wait until the last day to respond. Responding before a deadline shows your company is making a good faith effort toward compliance.

**Do Not** cut off communication with the Ohio EPA. Even though your company has been inspected and received a NOV, the inspector is still available to give you technical guidance. The inspector can help you in identifying measures needed to correct problems.

## Need More Help?

Additional questions about Ohio EPA inspections can be directed to your local Ohio EPA District Office. Small businesses can also contact the Office of Compliance Assistance and Pollution Prevention (OCAPP) at (614) 644-3469 or (800) 329-7518 for free help. OCAPP is a non-regulatory office of Ohio EPA with a goal of helping small businesses understand and comply with the environmental requirements.

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## OhioEPA District Offices



Toll-free numbers are for citizens with questions or concerns about environmental issues. The regulated community should use the business line for routine business. Spills and emergencies should be reported to (800) 282-9378.

**CDO Central District Office**  
50 W. Town St. Suite 700  
Columbus, OH 43215  
(614) 728-3778  
(614) 728-3898 Fax  
(800) 686-2330  
[www.epa.state.oh.us/cdo](http://www.epa.state.oh.us/cdo)

**NWDO Northwest District Office**  
347 N. Dunbridge Rd.  
Bowling Green, OH 43402  
(419) 352-8461  
(419) 352-8468 Fax  
(800) 686-6930  
[www.epa.state.oh.us/nwdo](http://www.epa.state.oh.us/nwdo)

**SEDO Southeast District Office**  
2195 Front St.  
Logan, OH 43138  
(740) 385-8501  
(740) 3856490 Fax  
(800) 686-7330  
[www.epa.state.oh.us/sedo](http://www.epa.state.oh.us/sedo)

**NEDO Northeast District Office**  
2110 E. Auroa Rd.  
Twinsburg, OH 44087  
(330) 963-1200  
(330) 487-0769 Fax  
(800) 686-6330  
[www.epa.state.oh.us/nedo](http://www.epa.state.oh.us/nedo)

**SWDO Southwest District Office**  
401 E. Fifth St.  
Dayton, OH 45402-6357  
(937) 285-6357  
(937) 285-6249 Fax  
(800) 686-6357  
<http://swdoweb.epa.state.oh.us>