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# 3. DOCUMENTATION/ RECORDKEEPING AND REPORTING

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## 3. A. Inspection Authority and Objectives

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### Authority and Objectives

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Statutory Recordkeeping Authority:	Clean Water Act (CWA) §308 and §402
Regulatory Requirements:	40 <i>Code of Federal Regulations (CFR)</i> Parts 122, 136, 401, 403, 405-471, and 503, as applicable
Inspection Authority:	CWA §308

The National Pollutant Discharge Elimination System (NPDES) permit system requires permittees to maintain records and report periodically on the amount and nature of discharged effluent waste components. The permit stipulates recordkeeping and reporting conditions. Evaluations are conducted at selected permitted facilities to determine compliance with permit requirements. The procedures listed below should be used for these routine inspections. If suspected violations are disclosed during the routine evaluation, a more intensive investigation should be conducted.

A review of facility records should determine that recordkeeping requirements are being met. The following questions should be answered in particular:

- Is facility verifying data being collected as required by the permit?
- Is all required information available?
- Is the information current?
- Is the information being maintained for the required time period?
- Do the records reviewed indicate areas needing further investigation?
- Are the records organized?
- Do the records show compliance?

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## 3. B. Evaluation Procedures

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### Verification, Recordkeeping, and Reporting Evaluation Procedures

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During the facility site inspection, the inspector should verify the following requirements of the permit:

- That the number and location of discharges are as described in the permit
- That all discharges, if permitted are in accordance with the general provisions of the permit, such as no noxious odors, no visible entrained solids in discharge, no deposits at or downstream of the outfall, no color change in the receiving stream, and no fish or vegetation kills near the outfalls.

The inspector should review the permit to determine recordkeeping and reporting requirements. Throughout the inspection, the inspector should compare facility's operations with the permit to verify that required permit activities are correct, current, and complete. Obtain some of the information needed to verify the permit during the opening conference and compare with the facility permit. This information includes:

- Correct name and address of facility
- Correct name and location of receiving waters
- Number and location of discharge points, if any
- Principal products and production rates (where appropriate).

The inspector should check for records that will verify that notification has been made to the Environmental Protection Agency (EPA) or to the State when: (1) discharges differ from those stated in the permit, (2) a discharge violates the permit, and (3) a bypass has occurred. The inspector should also check to ensure that the facility maintains the appropriate records for a minimum of 3 years (or 5 years for sewage sludge). These records may include the following:

- Sampling and Analysis Data
  - Dates, times, and locations of sampling
  - Sample types collected
  - Analytical methods and techniques
  - Results of analyses
  - Dates and times of analyses
  - Name(s) of analytical and sampling personnel.
- Monitoring Records
  - Discharge Monitoring Reports (DMRs), including information on flow, pH, Dissolved Oxygen (DO), etc., as required by permit. A blank DMR form is included in Appendix K.
  - Original charts from continuous monitoring instrumentation.
  - It is important for the inspector to verify the validity of the data on the DMRs. Provide this verification by tracking the raw data from the laboratory bench sheets or other

databases to the final reported DMR entries.

- Laboratory Records
  - Calibration and maintenance of equipment
  - Calculations (i.e., on bench sheets or books)
  - Quality Assurance/Quality Control (QA/QC) analysis data
  - Laboratory Standard Operating Procedures (SOPs)
  - Results of DMRQA studies.
- Facility Operating Records
  - Daily operating log
  - Summary of all laboratory tests run and other required measurements, including reference test method used (general reference to Standard Methods or 40 *CFR* Part 136 methods is not adequate)
  - Chemicals used (pounds of chlorine per day, etc.)
  - Weather conditions (temperature, precipitation, etc.)
  - Equipment maintenance completed and scheduled
  - Spare parts inventory
  - Flowmeter and pH meter calibration records.
- Treatment Plant Records (required as part of the Federal Construction Grants program)
  - Plant Operations and Maintenance (O&M) Manual
  - Percent removal records
  - "As built" engineering drawings
  - Copy of construction specifications
  - Equipment supplier manual
  - Data cards on all equipment.
- Management Records
  - Average monthly operating records
  - Annual reports
  - Emergency conditions (power failures, bypass, and chlorine failure reports, etc.).
- Pretreatment Records
  - Publicly Owned Treatment Works (POTW) and industrial monitoring and reporting requirements
  - Industrial user discharge data
  - Compliance status records
  - POTW enforcement initiatives.

- Risk Management Plan (RMP)
- Storm Water Pollution Prevention Plan (SWPPP)
- Spill Prevention Control and Countermeasure (SPCC) Plan

When required, a properly completed RMP, SWPPP, and/or SPCC Plan should be available. The inspector also may gather information on the SPCC and forward this information to the appropriate program office for follow-up action plans.

- Best Management Practices (where required)

Two types of Best Management Practice (BMP) plans are included in NPDES permits:

- BMP plans to minimize or prevent release of significant amounts of any toxic or hazardous pollutants to public waters. The plans may discuss general operations and maintenance of the plant, good housekeeping procedures on the facility grounds, and other plans and procedures specific to best management of the facility.
- Site-specific BMP plans to address particular toxic or hazardous chemicals or other conditions particular to the facility. Site-specific BMP may include procedures, monitoring requirements, construction of barriers such as dikes and berms, or other appropriate measures for solving specific problems.

In addition, inspectors should ensure that sludge records to verify compliance with 40 *CFR* Part 503 are maintained for a minimum of 5 years. Facility needs to keep records to be reviewed (such as sludge records and laboratory records) onsite for the inspector.

The inspector should document all inspection activities (see Chapter Two, Section D). Inadequacies, discrepancies, or other problems disclosed during this review may warrant more intensive investigation.

The inspector should validate (or obtain) accurate outfall locational data during the inspection. Locational data includes the precise latitude and longitude of each outfall (including metadata such as source, datum, precision, etc.). This EPA requires the information as part of the EPA permit applications, for all outfalls in modernized PCS. Locational data are becoming increasingly critical for Agency-wide geospatial applications, including everything from mapping to prioritizing enforcement and permitting efforts.

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### Compliance Schedule Status Review

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If the permit contains a compliance schedule or if the facility is under an enforcement action with a compliance schedule, the inspector should determine:

- Whether the permittee is conforming to the compliance schedule and, if not, whether final requirements will be achieved on time
- The accuracy of reports relating to compliance schedules
- The length of delay associated with a particular construction violation

- Whether any schedule violations are beyond the control of the discharger
- Whether requests for permit modifications are valid.

If the permit contains a compliance schedule address the schedule in detail only if the need becomes apparent during records review and preparation of the inspection plan. Actions to look at should include beginning new construction, contract and equipment orders, authorization and financing arrangements, and/or attainment of operational status. The specific compliance schedule actions are described below.

### Construction Progress

The inspector must know whether contracts for labor and material have been fulfilled and whether the permittee or the permittee's engineering consultant is monitoring progress. These aspects are extremely important, particularly in plants where numerous contracts are likely for labor and equipment.

If the permittee or the engineering consultant reports that construction or acquisition of equipment is behind schedule, the inspector should:

- Ask to see the permittee's or the resident engineer's progress report and determine whether the report indicates that the final compliance schedule required by the permit can be met.
- If the report indicates that the final date will not be met, advise the permittee that the compliance schedule of the NPDES permit requires the permittee to notify the permit-issuing authority promptly of any possible delay in achieving compliance and of measures taken to minimize the delay.
- Inquire whether the facility superintendent or chief operator and operating personnel are receiving adequate training concerning the operational aspects of the new treatment unit while construction is under way. They must be prepared to perform the essential operating functions when the facility is placed in service.

### Construction Contracts and Equipment Orders

The inspector should review the appropriate documents to determine whether the permittee has obtained the necessary approval to begin construction. The inspector should note the start and completion dates (or scheduled delivery dates in service or equipment contracts).

### Authorization and Financing

If construction is incomplete, the inspector should determine whether the permittee has the authority and financial capability (mortgage commitments, corporate resolution, etc.) to complete the required structures.



### Attainment of Operational Status

If construction has been completed but the facility is not yet operational, the inspector should determine whether the facility is using appropriate procedures to ensure attainment of working status at the earliest possible time. The inspector should verify the following:

- Adequate self-monitoring procedures that the facility has initiated. It is especially important that the result of operational and effluent quality monitoring be reviewed to determine whether progress is being made toward optimum efficiency in each treatment unit and in the entire plant.
- Adequate recordkeeping procedures.
- Adequate work schedules and assignments. (For municipal facilities, the O&M Manual should provide essential guidance.)

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### POTW Pretreatment Requirements Review

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The inspector must collect specific information to evaluate compliance with pretreatment requirements. A summary using the following procedures below and for more detail see Chapter Nine, "Pretreatment."

As part of the inspection, the inspector must collect information about the POTW's compliance with its approved pretreatment program and applicable regulations as well as the compliance status of its industrial users with categorical pretreatment standards or locally developed discharge limitations. The inspector should review POTW records to determine the following:

- Whether all the contributing industries, including the number of significant industrial users are accounted.
- Whether all industries are properly identified and classified.
- Whether industries have submitted required reports and notifications to the POTW. These include baseline monitoring reports, 90-day compliance reports, periodic compliance reports, notifications of changed discharge, potential problem discharges, violation and resampling, and hazardous waste discharge.
- Whether the number of contributing industries are in compliance with applicable standards.
- Whether permits containing all required elements have been issued to significant industrial users in a timely manner.
- Whether inspections and sampling (including evaluation of the need for slug control plans) of significant industrial users are conducted at the required frequency.
- Whether the POTW has notified all affected users of classification and applicable

standards and requirements, including Resource Conservation and Recovery Act (RCRA) obligations.

- Whether appropriate enforcement actions have been taken against all noncompliant industries and whether the names of all users in significant noncompliance are published at least annually.
- Whether contributing industries with compliance schedules are meeting applicable schedule deadlines and compliance schedule reporting requirements.

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### In-depth Investigations

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When necessary conduct an in-depth inspection of a permittee's records and reports to substantiate a suspected violation, to verify self-monitoring data to use as corroborative evidence in an enforcement action, or to confirm apparent sampling, analysis, or reporting discrepancies discovered during the limited inspection. Discrepancies warrant an in-depth review if, for example:

- Suspect the discharge does not meet required standards and no definite operational problems have been established.
- Suspect grossly inaccurate self-reporting data with recordkeeping procedures and/or the filing of reports.
- Suspect the cursory review indicates omissions or laxity in the preparation of records.
- Suspect evidence of falsification of records
- Suspect laboratory review of analytical data indicates errors in QC or data management.

Confer with supervisor for more guidance and assistance as needed in performing an in-depth investigation.

### In-depth Investigation Procedures

The following procedures should guide the inspector in conducting an in-depth investigation:

- Determine Investigation Objective. What is the specific purpose of the investigation?
- Determine Information Needed. What specific data will substantiate a violation or respond to the investigation objective?
- Determine Data Source. What records will contain these required data?
- Review Inspection Authority. Authority to inspect under Section 308 is limited to those records required by the permit/regulations.

- Inspect Direct and Indirect Data Sources. Examine records likely to provide the required data directly. In the absence of direct data, use indirect sources of information can be used to develop a network of information relevant to the data being sought.
- Take Statements From Qualified Facility Personnel. See Chapter Two, Section D, for procedures.
- Prepare Documentation. Copy and identify all records relevant to the information being sought; see Chapter Two, Section D, for specific procedures.
- Follow Confidentiality Procedures. Any record inspected may be claimed by the facility as confidential. Treated such records in accordance with EPA procedures; see Chapter Two, Section D, the discussion on Confidential Business Information.

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# 3. C. Verification, Recordkeeping, and Reporting Evaluation Checklist

**VERIFICATION, RECORDKEEPING, AND REPORTING EVALUATION CHECKLIST**

**A. PERMIT VERIFICATION**

Mailing Address:

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Brief Facility Description:

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Yes	No	N/A	1. Inspection observations verify information contained in permit.
Yes	No	N/A	2. Current copy of permit is onsite.
Yes	No	N/A	3. Name and mailing address of permittee are correct.
Yes	No	N/A	4. Facility is as described in permit.
Yes	No	N/A	5. Notification was given to EPA/State of new, different, or increased discharges.
Yes	No	N/A	6. Facility maintains accurate records of influent volume, when appropriate.
Yes	No	N/A	7. Number and location of discharge points are as described in permit.
Yes	No	N/A	8. Records accurately identify name and location of receiving waters.
Yes	No	N/A	9. All discharges are permitted.
Yes	No	N/A	10. The facility used Federal Construction Grant funds to build the plant.

**VERIFICATION, RECORDKEEPING, AND REPORTING EVALUATION CHECKLIST  
(Continued)**

**B. RECORDKEEPING AND REPORTING EVALUATION**

Yes	No	N/A	1. Maintain records and reports as required by permit.
Yes	No	N/A	2. All required information is available, complete, and current.
Yes	No	N/A	3. Information is maintained for 3 years (or 5 years for sewage sludge).
Yes	No	N/A	4. If the facility monitors more frequently than required by permit (using approved methods), these are results reported.
Yes	No	N/A	5. Analytical results are consistent with data reported on DMRs.
Yes	No	N/A	a. The data moves accurately from the bench sheets to the DMRs
Yes	No	N/A	b. The calculations are performed properly (including loading, averages, etc.)
Yes	No	N/A	6. Sampling and analyses data are adequate and include:
Yes	No	N/A	a. Dates, times, and location of sampling
Yes	No	N/A	b. Name of individual performing sampling
Yes	No	N/A	c. Analytical methods and techniques
Yes	No	N/A	d. Results of analyses and calibration
Yes	No	N/A	e. Dates of analyses
Yes	No	N/A	f. Name of person performing analyses
Yes	No	N/A	g. Instantaneous flow at grab sample stations.
Yes	No	N/A	7. Monitoring records are adequate and include:
Yes	No	N/A	a. Flow, pH, DO, etc., as required by permit
Yes	No	N/A	b. Monitoring charts kept for 3 years (or 5 years for sewage sludge)
Yes	No	N/A	c. Flowmeter calibration records kept.
Yes	No	N/A	d. Locational data (latitude and longitude of each outfall)
Yes	No	N/A	8. Laboratory equipment calibration and maintenance records are adequate.
Yes	No	N/A	9. Plant records* are adequate and include:
Yes	No	N/A	a. O&M Manual
Yes	No	N/A	b. "As-built" engineering drawings
Yes	No	N/A	c. Schedules and dates of equipment maintenance repairs
Yes	No	N/A	d. Equipment supplies manual
Yes	No	N/A	e. Equipment data cards.
Yes	No	N/A	* Required only for facilities built with Federal Construction Grant funds.
Yes	No	N/A	10. Pretreatment records are adequate and contain inventory of industrial waste contributors, including:
Yes	No	N/A	a. Monitoring data
Yes	No	N/A	b. Inspection reports
Yes	No	N/A	c. Compliance status records
Yes	No	N/A	d. Enforcement actions.

**VERIFICATION, RECORDKEEPING, AND REPORTING EVALUATION CHECKLIST  
(Continued)**

**C. COMPLIANCE SCHEDULE STATUS REVIEW**

Yes	No	N/A	1. Permittee is meeting compliance schedule.
Yes	No	N/A	2. Permittee has obtained necessary approvals to begin construction.
Yes	No	N/A	3. Financing arrangements are complete.
Yes	No	N/A	4. Executed contracts for engineering services.
Yes	No	N/A	5. Completed design plans and specifications.
Yes	No	N/A	6. Construction has begun.
Yes	No	N/A	7. Construction is on schedule.
Yes	No	N/A	8. Equipment acquisition is on schedule.
Yes	No	N/A	9. Facility has completed construction.
Yes	No	N/A	10. Startup has begun.
Yes	No	N/A	11. Permittee has requested an extension of time.
Yes	No	N/A	12. Permittee has met compliance schedule.

**D. POTW PRETREATMENT REQUIREMENTS REVIEW**

Yes	No	N/A	<b>THE FACILITY IS SUBJECT TO PRETREATMENT REQUIREMENTS</b>
Yes	No	N/A	1. Status of POTW pretreatment program <ul style="list-style-type: none"> <li>a. EPA approved the POTW pretreatment program. (If not, is approval in progress?)</li> <li>b. The POTW is in compliance with the pretreatment program compliance schedule. (If not, note why, what is due, and intent of the POTW to remedy.)</li> </ul>
Yes	No	N/A	2. Status of Compliance with Categorical Pretreatment Standards. <ul style="list-style-type: none"> <li>a. Number POTW industrial users, Federal or State, subject to pretreatment standards?</li> <li>b. Are these industries aware of their responsibility to comply with applicable standards?</li> <li>c. Has the facility submitted baseline monitoring reports (403.12) for these industries?               <ul style="list-style-type: none"> <li>i. Have categorical industries in noncompliance (on BMR reports) submitted compliance schedules?</li> <li>ii. How many categorical industries on compliance schedules are meeting the schedule deadlines?</li> </ul> </li> <li>d. If the compliance deadline has passed, have all industries submitted 90-day compliance reports?</li> <li>e. Are all categorical industries submitting the required semiannual report?</li> </ul>
Yes	No	N/A	
Yes	No	N/A	
Yes	No	N/A	
Yes	No	N/A	
Yes	No	N/A	

**VERIFICATION, RECORDKEEPING, AND REPORTING EVALUATION CHECKLIST**  
**(Continued)**

Yes	No	N/A		f. Are all new industrial discharges in compliance with new source pretreatment standards?
Yes	No	N/A		g. Has the POTW submitted an annual pretreatment report?
Yes	No	N/A		h. Has the POTW taken enforcement action against noncomplying industrial users?
Yes	No	N/A		i. Is the POTW conducting inspections of industrial contributors?
Yes	No	N/A	3.	Are the industrial users subject to Prohibited Limits (403.5) and Local Limits more stringent than EPA in compliance? (If not, explain why, including need for revision of limits.)