



Communication Skills - Inspection Report Writing -

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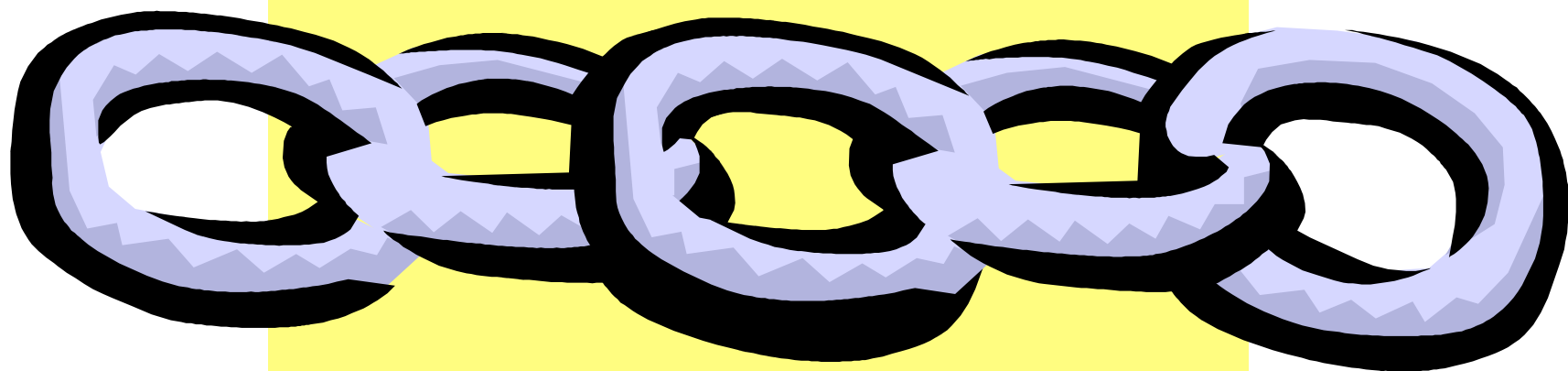
Objectives

- Discuss importance of reports in the Enforcement and Compliance System
- Assembling a Top Notch Report
 - Improve communication and report writing skills
 - Identify common structural and grammatical problems in report-writing



We Need to Recognize Enforcement and Compliance Monitoring as a “System”

Inspectors are responsible for links 2, 3, and 4.



1	2	3	4	5
Target + Quality	Inspector + Knowledge	Regulatory + Knowledge	Communication + Skills	Enforcement Actions



The Links

- Link 1- Targeting
 - Have you ever felt a particular inspection was a waste of time?
 - You must know **why** you are inspecting the facility and **how** the information is going to be used?
- Link 2 – Inspector Knowledge
 - Those **procedures**, **skills**, and **techniques**, required to conduct an inspection, that are **independent** of the subject mater or media.
 - Nursing home inspections, aviation inspections, criminal investigations, etc.



The Links

- **Link 3 – Regulatory Knowledge**
 - How well do you know the statutory, regulatory, or permit requirements?
 - The regulations **must essentially be memorized**.
- **Link 4 – Communication Skills**
 - **A great inspection report**
- **Link 5 – Enforcement**
 - Do you know **what** your Program's expectations are?
 - Will your inspection report **exceed** their expectations?
 - Have you been **proactive** in heading off potential problems?
 - Is your inspection report **ready for trial**?



Assembling a Top-Notch Report

- Plan, plan, plan
- Gather information (field notes etc.)
- Organize what you've gathered (outline)
 - **Do this ASAP**, in the field if possible
- Write your report within 30-days, sooner is better (follow your agency format)
- Evaluate your report (have others look at it)
- Re-write if necessary (it usually is!)



Running Theme – How Do I Know What I Know?

- Is the **single most important question** each inspector must be able to answer.
- It must be answered -- for **each piece of information** in the inspection report.
- Inspectors must ensure they demonstrate **the basis of each “alleged fact”**
 - For example: “The facility has been in operation since 1965.” How do they know this? Who told them? Etc.



Questions to ask before starting

- Why am I writing this?
- What do I want to achieve?
- Who will read this - Who is your “audience?”
- What does my reader want to know?
- How will this be used?
- When will this be used?






A Good Inspection Report

- **Will communicate** the findings and observations in an easily understood way that can not be misinterpreted by the reader.
- **Will answer** all questions related to each element of regulatory compliance.
 - **Clearly identify** areas of non-compliance
 - **Provide all** necessary elements of proof
- **Eliminate or minimize** the need for additional information requests



Inspection Method And Report Assumptions – Three Types

-  Assumes that you only inspected the specific items listed in your report.
-  Assumes you inspected everything but only commented on what you found wrong at the facility in your report.
-  Combination of 1 and 2.

We all know it is best not to assume!!!

Explain yourself



Inspection And Report Assumptions

- State your approach
 - “This report only covers the specific areas I evaluated during this inspection...”
 - Assumes limited inspection scope with full discussion of each activity. Problems + non-problems
 - “I conducted an full compliance inspection (FCI – per SOP) of the facility. The following significant areas of concern were identified...”
 - Assumes full inspection scope with discussion of problems only



Inspection Planning: How It Effects Your Inspection & Report

- Know your agency assumptions
- When you plan your inspection
 - Identify the statutes, regulations or permits involved
 - Identify the goals of the inspection
 - Identify the questions and information needs
- **Format your report before you go to the field!**
 - These items can be put into your draft report
 - Will help you focus your field time



Key Elements of a Good Report

- Boiler Plate
 - Type of inspection and who participated
 - Summary of inspection method and assumptions
 - Regulatory and compliance history (key issues)
 - Major headings (facility description, permit/permit type, location, records, etc.)
 - Sampling activities
 - Discuss “areas of concern” **as they are found**



Key Elements of a Good Report

- Timely
 - “Near in time” to the event. 30/60/90 days?
 - Do you have an established timeframe?
- Clear, Concise, and Understandable
 - Use simple language, short sentences and as many paragraphs as needed
 - Get to the point – no extraneous dribble
- Factual
 - Plainly describe the facts you witnessed



Key Elements of a Good Report

- Referenced
 - All photos, maps, etc. should be clearly referenced
- Technically Correct
 - Have a qualified peer do a “technical review”
- Complete
 - Answered, who, what, when, where, why, and how?



Communication Skills – Writing Style

- Write report in **first** person
- Use **active** rather than passive voice
- Paint a **picture** of the event
- Allow reader to **draw their own** conclusion
- **Leave no room for misinterpretation**



Communication Skills – Writing Style

- For potential violations or concerns:
 - A **Compare** and **Contrast** writing style should be used
 - Compare the Standard** - The legal or regulatory requirement or permit condition - **Quote the actual language - as written**
 - AGAINST:**
 - The Observations (Contrast)** – **How the facility failed to meet the requirement, e.g.** what the inspector **observed** that will be used **as evidence**



Reporting a Potential Violation - Example

Potential Violation #4 - Failure To Close Hazardous Waste Satellite Accumulation Container:

“On Monday morning, while in the aerosol can fill area (see map – attachment 3), I observed one full 55-gallon satellite accumulation container that was open (photo 1). I verified the drum was full by looking inside of it. Mr. Helpful, the Aerosol Can Fill Operator, said he used the container to collect spent solvent. He said the spent solvent was Mecos lacquer thinner that he used to wash painting equipment (MSDS- attachment 9). I asked Mr. Helpful if he considered the spent solvent hazardous waste. He said yes, he managed it as F003/F005 hazardous waste because it was spent. Containers holding hazardous waste must always be closed during storage, except when it is necessary to add or remove waste, per 40 CFR 262.34(a)(1)(i), ref. 40 CFR 265. 173(a).”

Who, What, When, Where, Why, and How?



Do **Not** Rely on “Spellchecker”

I have a spelling checker
It came with my PC:
It plainly marks four my revue
Miss takes I cannot sea.
I've run this poem threw it
I'm shore your pleased to no;
It's letter perfect in it's weigh
My checker tolled me sew.



Communication Skills

See Pocket Card and Documentation Handout

FIELD INSPECTION GUIDELINES

Drive-By

Identify obvious concerns (stressed vegetation, smoke, discharges, spills, etc.).

Identify facility layout and which direction is North.

Site Entry

Present credentials and identify yourself.

Identify official facility representative, their years employed, and their knowledge of the operations.

Explain purpose, scope, CBI, Sec. 1001 U.S.C., etc.

Explain authority inspection is being conducted under.

Evidence and Data Collection

Calibrate sampling and measurement equipment.

Copy all documents needed to support the violation.

Photograph, diagram, or map all violations and sample locations (reference each to North, South, East, West).

Obtain statements and/or document who said what.

Document start time and duration of violation.

Before You Leave

Review all findings, evidence, and data.

Make sure you have adequate information for report - Answer Who? What? When? Where? Why? and How?

Provide a document receipt.

Complete a "Notice" and list each potential violation.

Explain and summarize your preliminary findings.

Explain that your findings are "preliminary" and that a compliance officer will make the final determination.

REPORT WRITING GUIDELINES

Structure

Use short, clear, direct, first person ("I") sentences.

Use active voice (verbs that show action).

Identify who said what by name and relationship to facility.

Use consistent word choice throughout report.

Write report promptly upon return from the field.

Citation(s)

Use a separate paragraph and **bold** or *italicize* text to clearly identify each violation to the reader.

Reference and use actual language of statute, permit, or regulation to identify requirements.

Compare & contrast what you observed vs. what was required by statute, permit, or regulation.

Supporting Evidence and Data

Provide a detailed description of all violations.

Describe all evidence used to support the violation.

Provide sampling data and proof of calibration.

Document the start time and duration of violation.

Describe facility response to correct past violations.

Reference all supporting material in text of report.

Things to Avoid

Do not use passive voice/inconsistent tense (was vs. is)

Do not use negative inferences (the only ones were...).

Do not use vague or absolute terms (some, always).

Do not use unverified information from past reports.



IT IS UP TO YOU

Have you spent your and your agency's time well?

YOUR EFFORTS

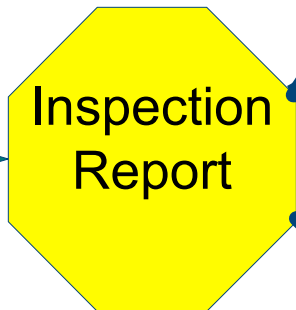
- Targeting
- Hotel
- State/EPA Coord.
- Inspection Plan

- File Review
- Car
- Equipment
- Sample Plan

HIGH COST OF INSPECTIONS →

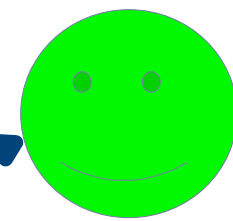
- Reg. Review
- Driving Risk
- Documentation
- People Problems

- Training
- Site Visit
- Photos
- Meetings

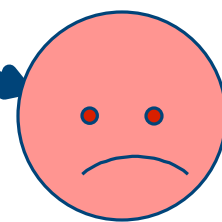


CHOKE POINT

ENVIRONMENTAL RESULTS



GOOD



POOR