

# Virginia DEQ Business Practices to Reduce SNC

Over Three Decades and Running

Melanie D. Davenport  
Director, Division of Water Permitting  
Virginia Department of Environmental Quality

# VA DEQ Business Practices to Reduce SNC

Focused on the concepts of:

1. Timeliness
2. Certainty/Consistency
3. Accountability

# VA DEQ Business Practices to Reduce SNC - Timeliness

- VPDES permits require DMR submittal between the 1<sup>st</sup> and the 10<sup>th</sup> of the month when DMRs are required.
- From the 10<sup>th</sup> to the 23<sup>rd</sup>, all DMRs are reviewed to determine their compliance with permit requirements and conditions.
- Using a system designed by Virginia, points are automatically assessed for non-compliance detected for individual permits. Points are assessed and manually entered for non-compliance detected for VA's ten (10) general permits.
- Points are run on the 24<sup>th</sup> of each month to determine the type of enforcement action warranted to address non-compliance for that reporting period.
- DEQ notifies permittees of alleged violations through issuance of Warning Letters (WL) and Notices of Violation (NOV) within two to three weeks after the points run and before the next month's points assessment.

# VA DEQ Business Practices to Reduce SNC - Certainty/Consistency

- DEQ's points system promotes impartiality and removes subjectivity .
- DEQ has one or two trained Compliance Auditors (CA) in each of the six DEQ regional offices.
- CA enter DMR data submitted via hard copy and review all of the DMR data submitted for the reporting period.
- CA are responsible for all QA/QC of data and point assessments, whether the points are assessed automatically or manually.
- CA draft enforcement documents when applicable for regional management approval
- DEQ requires action to be taken if points assessed trigger informal or formal enforcement unless management can justify not following guidance and explain why action was not taken.
- CA track response to WL and work directly with enforcement of NOV to update the database and subsequently return a facility to compliance once corrective action has been taken.

# VA DEQ Business Practices to Reduce SNC - Accountability

- Permittee is issued a WL or NOV for the reporting period that identifies the detected area or areas of non-compliance.
- DEQ's points system accrues points on a rolling six-month basis, so permittees in VA are aware that they must correct the problem as soon as possible to avoid issuance of another enforcement action (or ramping up of an existing enforcement action) if the non-compliance continues to be reported.
- Avoidance of further enforcement actions incentivizes timely corrective action.
- DEQ's CEDS database tracks actions taken from issuance to return to compliance, including compliance and enforcement scheduled events.
- DEQ's central and regional staff conduct monthly QA/QC audits of the system and data to ensure accuracy.
- This is a "rinse and repeat" business practice.

Questions?