

EPA Enforcement Action!

By Mike Lucas, Wastewater Technician

Now that I have your undivided attention, an operator asked that I spread the word that EPA had recently taken enforcement action in Nebraska regarding nonreporting of Sanitary Sewer Overflows (aka: SSO's, backups & unscheduled bypasses). I continue to hear from operators that are unaware of the reporting requirements. As a reminder, if an SSO occurs and is determined to have come from the city main, the system has 24 hours to notify their NDEQ compliance officer of the incident and 5 days to report it in writing to the NDEQ office in Lincoln. Downloadable reporting forms are going to be made available on the NeRWA website to assist system operators with a standardized reporting form.

Several communities have been tied up in court in recent years dealing with SSO's. One community had been dealing with litigation for several years before it was finally settled. No one wins when it takes that long to settle. It only takes upset customers, insurance companies or attorneys making a phone call to add "nonreporting" to your noncompliance violations.

SSO's are invariably going to happen. It's our responsibility to limit the frequency of the occurrences and the damages incurred to the best of our ability. This again highlights the need to follow a formal written maintenance plan with documentation including dates. I would recommend that you visit with your City Attorney and consider a formal policy statement designating who is responsible for service lines including the taps in the main. This should include definitions clarifying what are considered to be service lines and also collection system mains and, ultimately, who is responsible for what in the collection system.