

Pollution Prevention Assessments for Hazardous Waste Generators

What will happen if Ohio EPA finds violations?

I am looking forward to helping you identify pollution prevention opportunities at your company during a pollution prevention assessment. I am sure you have many questions about the process and what to expect. We developed this information sheet to help you understand what will happen if I find violations during the assessment. Although I am explaining what will happen if I find violations during a pollution prevention assessment, finding violations is not the real purpose of a pollution prevention assessment.

Ideally, someone from Ohio EPA recently inspected your company for compliance with the hazardous waste rules. If we identified violations, I hope your company is well on its way to compliance. During the pollution prevention assessment I might find violations or compliance issues. I will respond formally to those violations if they meet either of the following criteria:

- they pose substantial and imminent danger to human health or the environment; or
- they constitute criminal conduct.

If they are hazardous waste violations, I will also formally respond if they were previously identified by Ohio EPA through routine inspections or citizens' complaints and are chronic in nature. For hazardous waste violations, a formal response will initially be a letter. For violations of other environmental rules, like air or water pollution a formal response will be to notify the appropriate Ohio EPA representative.

If I see violations during the assessment that do not meet the above criteria, I will point those out to you as a courtesy, but I will not formally cite them in a notice of violation or notify any other Ohio EPA representative; however, I still expect you to promptly abate those violations.

Although I am explaining what will happen if I find violations during a pollution prevention assessment, finding violations is not the real purpose of a pollution prevention assessment. Therefore, please do not use your participation in or completion of pollution prevention activities as a warranty or certification that there are no violations at your facility or that your company is in compliance.

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