

**COMMON ENVIRONMENTAL ISSUES RAISED BY
REGULATORS AT PENNSYLVANIA FACILITIES***

(*specifically identified in PADEP and/or EPA Region 3 Press Releases
and/or through client representation - 1/1/2019 – 9/30/2022)

1. **SPILL PLANS (e.g., SPCC, FRP, PPC, SPR) and TANKS**
 - **Failure to prepare/fully implement a plan**
 - **Failure to provide training**
 - **Failure to update/maintain a complete and current copy**
 - *plan amendment deficiencies
 - **Failure to inspect/test tanks per industry standards (integrity issues)**
 - *inadequate AST structural integrity inspection/testing
 - **Failure to inspect/test containers**
 - **Incompatible contents**
 - **Failure to close secondary containment drain valves**
 - **Failure to provide/inspect overfill devices & maintain release detection records**
 - *no release detection/inspection records
 - **Failure to include tanker truck/refuelers in a plan**
 - **Failure to provide container secondary containment**
 - **Failure to inspect/maintain secondary containment**
 - *liquid inside UST containment areas
 - **Failure to comply with other State-specific Tanks' (AST & UST) program requirements**
 - *operation w/o trained, certified operator
 - *inadequate monthly inspection records
 - *inadequate release detection records
 - *inadequate secondary containment
 - *emergency procedures not posted
 - *no current tank registration or permit certification available onsite
 - *inadequate preventive maintenance program
 - *inadequate repairs (inaction re inspector's findings)
 - *no/inadequate O&M Plans

2. AIR

- **Failure to apply for a permit/obtain the correct permit for all sources/obtain coverage under an appropriate exemption (include boilers)**
 - *construction w/o a permit
 - *incorrect permit level (failure to obtain Title V permit)
 - *inclusion of leak detection requirements in enforceable permit
- **Permit noncompliance**
 - *production limit exceedances
 - *operation & maintenance of sources and control devices
 - *failure to operate control equipment (e.g., malfunctions, breakdowns)
 - *leak detection & repair (LDAR) program deficiencies
 - *late third-party leak detection & repair audits
 - *late leak monitoring at connectors
 - *VOC-related storage vessel cover & closed vent system deficiencies
 - *required monitoring & maintenance of documentation (e.g., run hours, feed rates, visual emissions observations)
 - *emission(s) controls issues – in place/monitored/documented
 - *observed opacity violations
 - *emission limits' violations (PM 2.5, VOCs) – hourly/12-month rolling avg.
 - *fugitive VOC emissions monitoring (EPA Region 3 enforcement priority – oil & gas storage vessels)
 - *observed visible emissions/odors at/beyond property line
 - *CEMS data availability
 - *emissions violations (NO_x, SO₂) self-disclosed in CEMS reports
 - *stack test violations (e.g., missed test deadline, opacity exceedances)
 - *timely reports & supporting documentation
 - *annual compliance certifications
 - *semi-annual monitoring reports
 - *quarterly reports
 - *certified annual reports (incomplete, inadequate)
- **Failure to use properly accredited/trained asbestos personnel**
- **Failure to notify re asbestos removal projects (demolition/renovation) & maintain records**
- **Improper asbestos debris disposal**
- **Failure to maintain CFC leak records for equipment >50 lbs. charge**
- **Failure to have certified technicians work on CFC-containing equipment**

3. WATER

- **Failure to apply for/obtain wastewater discharge/storm water permits/authorizations**
- **Failure to comply with local sewer (e.g., POTW) ordinance/permit requirements**
 - *ELG applicability
 - *pretreatment limit exceedances
 - *monitoring and repeat sampling violations
- **Failure to comply with issued NPDES permit**
 - *reporting requirements for non-compliant discharges
 - *SW erosion & sedimentation w/ BMPs (ineffective/no notification)
 - *monitoring/sampling requirements (appropriateness – samples/locations/methods)
 - *seep management
 - *inadequate recordkeeping
 - *visible solids/scum in discharge
 - *effluent discharge limit exceedances & corrective action documentation
 - *system O&M conditions/treatment facility deficiencies
 - *outfall signage
 - *renewal applications (timeliness & inclusion of required sampling)
- **Improper disposal of materials down drains (e.g., sinks, floor)**
- **Failure to have/implement/update an SWPPP**
- **No or inadequate secondary containment for storage tanks**

4. WASTE

- **Failure to have “waste” determinations (non-waste, recyclable, waste)**
 - *no documented waste determinations
- **Failure to assess/document generation rate (e.g., maintain logs)**
- **Failure to comply with applicable generator requirements (Subparts J/AA/BB/CC)**
 - *container aisle space
 - *secondary containment for hazardous waste tanks (& containers in PA)
 - *>90-day LQG storage w/o a permit
 - *BB/CC volatile hazardous waste tanks w/ air emission controls
 - *BB/CC marking, inspections & monitoring of piping & equipment
- **Improper labeling (new hazard labels)**
 - *containers
- ***Failure to keep containers closed**
- **Mismanagement (e.g., drains, vacuum trucks)**
- **Aerosol can procedures**
- **No or infrequent inspection records**
 - *daily for hazardous waste tanks
- **Universal waste storage (e.g., containers, labels, accumulation)**
- **Integrity of sewers/basements**
- **Failure to decontaminate decommissioned equipment/units (90 + 90 days/1 year)**
- **Failure to update/maintain/implement PPC Plans (Quick Reference Guide)**
- **Inadequate training/documentation (hazardous/universal/waste oil/DOT)**
 - *annual for hazardous waste
 - *program coverage
- **Failure to comply with land disposal restriction requirements**
- **Incomplete/incorrect manifest documentation**
- **Failure to comply with State-specific residual waste program requirements**
 - *acceptance/processing residual waste w/o approval
 - *conducting odor control inspections (landfills)
 - *maintaining complete daily inspection/operation logs (landfills)
 - *beneficial reuse of fill w/o general permit coverage or specific approval
 - *open dumping
 - *exceeding volume acceptance/storage limits
 - *tire management
 - *liner integrity

5. OTHER

- **Failure to follow PCB-containing equipment requirements (e.g., use, storage)**
- **Failure to make release notifications/maintain release records**
- **Inaccurate EPCRA Tier/TRI Form R reporting**
- **Pesticide storage compliance**
- **Application of pesticide products (certified applicators, recordkeeping)**
- **Improper pesticide products' disposal**