



# US Environmental Protection Agency Criminal Investigation Division

## Region 4, Florida

### Publicly Owned Treatment Works Enforcement Assistance

Florida Industrial Pretreatment Association Introduction, May 1, 2015

James Pearsall, Special Agent  
Miami Resident Office

Contact information:

[Pearsall.James@epa.gov](mailto:Pearsall.James@epa.gov)  
(904) 254-4786

#### Why You're Important to CID

The federal Clean Water Act addresses both direct and indirect discharges with civil regulation and criminal statutes.

The CWA's main tools to insure compliance as it relates to in-direct discharges are pretreatment standards; both national and EPA approved, local standards.

EPA relies on local pretreatment program personnel as the first line of defense to insure that local publicly owned treatment works (POTW) are able to address the industrial waste discharged to their systems by customers.

A vast majority of POTW industrial/commercial customers respond truthfully and in a constructive manner to local POTW civil assistance, permitting and, if necessary, enforcement efforts. Despite occasions of unintended or misinformed non-compliance, most businesses

take great satisfaction in maintaining their compliance with the requirements of the local sanitary sewer authority.

Unfortunately, there is a small percentage of customers that, despite all your efforts, will seek to violate for a variety of reasons, including economic gain.

This often gives these unscrupulous businesses an unfair advantage over their competitors and can create system issues for the sewer authority.



One of the many roles of the US EPA Criminal Investigation Division (CID) is to provide assistance to local POTW pretreatment programs through enforcement of both National Pretreatment Standards (NPS) as well as the local standards of EPA approved pretreatment programs, when appropriate.



#### Ways CID may be able to help

Let's touch first on national standards. Perhaps the best example of when we can help is with the discharge to sanitary sewer systems at other than POTW designated locations. These discharges make it difficult for the POTW to know what is being dumped in their system, can create costly line and lift station issues or disruptions to the plant itself.

*Start thinking in a new way*



NPS make it very clear, liquid waste hauling trucks must discharge at POTW designated locations. Discharges to POTW systems at other than designated locations is potentially a felony violation of the federal CWA.

EPA approved local standards enforcement by CID relates to the pretreatment standards and permits that are issued by you. Your agency went through the effort of gaining the EPA Approval and the assistance of CID is one of the benefits. These are also



potentially felony violations of the federal CWA.

### Common Characteristics

Although each set of circumstances is unique, some of the more common

characteristic are violations that appear knowing repetitive, disruptive to the system, a danger to your workers or the public at large, false statements, false submissions, tampering with monitoring devices or other acts to conceal the violation.

CID is not routinely the first enforcement option, except in special circumstances. CID is



not here to take on your work. Generally, we will work together. You have the local program expertise while CID has the investigative proficiency and tools.

### What make a good criminal case

First and foremost – a good civil regulatory history is generally the start of a good criminal investigation. That means from the permit, to outreach, to well organized civil records and communication with your local CID agent.

Focus on doing the very best job at civil enforcement. Do not try to investigate for us. The courts will frown on such actions.

### Florida CID Offices

Florida has three CID offices

Florida is distinctive in that the State has three US EPA-CID offices located in Gulf Breeze, Miami and Tampa. One of our key roles is to support you, the civil enforcement process, when a situation warrants.

Despite having three offices, agents are a limited resource with an already full plate, so as a matter of practice, each situation requires a review with CID management to insure that resources are used in the most effective manner.

### Contacting CID in Your Area.

Matthew R Anderson  
Resident Agent in Charge  
**Gulf Breeze Resident Office**  
(850) 934-9222

Jose Molina  
Resident Agent in Charge  
**Miami Resident Office**  
(305) 536-6699

Dan Green  
Resident Agent in Charge  
**Tampa Resident Office**  
(813) 348-1537



Reach out, say "Hello" and ask questions. I find that forming a relationship before there is a need is most beneficial.

We look forward to working together as CID continues our efforts to support local POTWs.

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