



# **Life after SB 912: The Future of Clean Water Act Compliance and Enforcement**

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# “999 Problems, but an SSO isn’t one of them”

- ❖ New Reporting Regime

- ❖ Successes of SB 912

- ❖ Internal Implementation Challenges

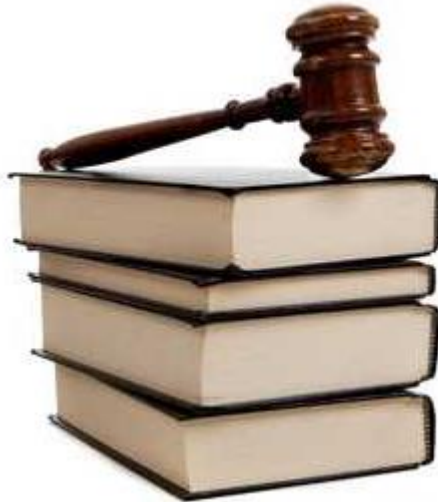


# Implementing Reporting Protocols



- ❖ Utility/Community Goals
- ❖ Changing standard practices

# Does Enforcement Go Away?



# Question 1:

- ❖ Which of the following are not current EPA enforcement initiatives:
  - ❖ A) Preventing animal waste from contaminating surface and groundwater
  - ❖ B) Keeping raw sewage and contaminated stormwater out of US waters
  - ❖ C) Reducing air pollution from largest sources
  - ❖ D) Reducing wind turbine noise pollution
  - ❖ E) Keeping industrial pollutants out of US waters

# Question 2:

❖ What other states include reporting volume limitations:

- ❖ A) Missouri
- ❖ B) Michigan
- ❖ C) North Carolina
- ❖ D) Idaho



# Question 3:

- ❖ How many gallons is required to constitute an SSO under EPA's definition?
  - ❖ A) 12,000
  - ❖ B) 8,000
  - ❖ C) Won't fit in a Ziplock bag
  - ❖ D) No gallon threshold



# Options

- ❖ Business as Usual?
- ❖ Clever Reporting?
- ❖ CMOM Implementation?
  - ❖ Proactive vs. Reactive
  - ❖ Permitting Issues
  - ❖ Consistency with Enforcement





# Options

- ❖ Expect Compliance
- ❖ Be ready for enforcement
- ❖ Develop a positive story/message for regulators
- ❖ Know narrative/tell your story



# Question 4:

❖ How many Texas utilities have a current, finalized Consent Decree?

- ❖ A) 1
- ❖ B) 7
- ❖ C) 12
- ❖ D) 0



# Question 5:

- ❖ What is the maximum civil penalty per Clean Water Act violation/per day?
  - ❖ A) \$500
  - ❖ B) \$37,500
  - ❖ C) \$100,000
  - ❖ D) \$1 million



# Question 6:

- ❖ What tools are available to help address growing costs of compliance?
  - ❖ A) 1997/2014 Affordability Guidance
  - ❖ B) Integrated Planning Opportunities
  - ❖ C) Prioritized Enforcement Obligations
  - ❖ D) None of the Above
  - ❖ E) All of the above



# Tools

- ❖ Evaluate current SSO trends and effluent excursion trends
- ❖ Evaluation of SOPs/written manuals
- ❖ Review existing CIP priorities



# Life after SB 912

- ❖ New Era?

- ❖ Enforcement
- ❖ Permitting
- ❖ Reporting



- ❖ Continued CMOM/ Asset Management (tools)
- ❖ Not a beach; waves will continue to fall.

# Questions



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