

Regulation Information

By Edward N. Sailer

Using software to comply with storm water permits

Maintaining compliance with the NPDES Stormwater Permit can be a daunting task. Whether for a general or individual permit, there are dozens of tasks to be performed to document facility inspections, storm water sampling, employee training and maintenance of the storm water plan itself. These tasks apply to virtually any storm water NPDES permit for industrial and commercial facilities, construction sites, and MS4s—all require documentation of the facilities' activities to comply with the terms of the permit. Penalties for noncompliance under the Clean Water Act of up to \$37,500 per day per violation can be imposed, often resulting in penalties in the range of \$150,000 for a single facility.

At many facilities, staying on top of all permit requirements can be overlooked or poorly documented, leading to non-compliance and enforcement actions. This is particularly true at smaller facilities where tasks such as routine inspections and collection of storm water samples fall on employees who have other responsibilities.

Regulatory Challenges

An example of this is found at New England marinas, where a manager is responsible for running a yard, launching and hauling boats, overseeing repairs and generally responding to customer needs. Complying with the facility's environmental obligations, including the requirements of its storm water permit, is far



A manager of a New England marina has to ensure the facility is complying with environmental obligations and run the business day to day.

from his or her priority. The same is true for numerous other industries such as scrap yards, small manufacturing facilities, waste management and recycling facilities, and quarries.

Larger facilities such as universities and hospitals also struggle with the task of staying on top of environmental compliance issues, including storm water, spill prevention, hazardous waste and air permits.

In all cases, the traditional paper tracking and compliance systems, even if they are coupled with a spreadsheet to track compliance obligations, can fall short of real compliance. Smaller facilities may not be performing (or at least not documenting) the required inspections and training. Storm water sampling also may be sporadic and far from compliant with the requirements of the facility's permit.

A New Way

After two years of research and development, ProEnvironmentWare Inc.

designed ProComplianceWare, a cloud-based environmental compliance system.

The system has been installed at facilities including automobile dealerships, marinas, scrap yards, recycling plants, chemical distributors and bulk petroleum distributors to manage myriad environmental compliance requirements, including hazardous chemical reporting, hazardous waste compliance, spill prevention, and storm water and air permits. There also is a module to track homeland security compliance.

At each of these facilities, the person or persons responsible for each compliance task receive e-mail alerts of impending compliance deadlines, along with the necessary forms to document compliance. Once completed, the compliance documents are archived for secure access on any PC, tablet or smartphone.

Compliance is documented with a Completed Task Report that can be sent to the facility's management or outside

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consultant. If a task is not completed by the compliance deadline, a Missed Deadline Report is issued by the system so that the noncompliance issue can be corrected immediately.

Users of the software have found that



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with a cloud-based environmental management system, they are able to understand, track and stay on top of all of their environmental compliance obligations on a daily basis and feel that, should they be inspected, they are in compliance. Following are some experiences of users.

Cases in Point

Mystic Shipyard in Mystic, Conn., was one of the state's first clean marinas and had a strong record of reporting results on time. The shipyard recently began using ProComplianceWare.

"We no longer wonder whether we are in compliance," said Jeff Marshall, manager of Mystic Shipyard. "Because of the system's daily tracking of regulations, we know we are."

"We don't worry about reports at all," said Chris Evans of Reynold's Garage & Marina, a Subaru and boat dealership and marina in Lyme, Conn.

"If [the U.S. Environmental Protection Agency or Connecticut Department of Energy and Environmental Protection] come in, I know we're going to pass." Evans said that since his business started using the software program six months ago, it has virtually eliminated the physical paperwork once considered necessary for compliance. And while compliance still costs money, Evans said that the program "saves me time."

As another example, an industrial facility in southern Connecticut using the program to maintain compliance with a variety of environmental regulations recently had one of its key compliance personnel take emergency leave. While it normally would have taken extensive training to bring another employee up to speed to maintain the facility's compliance, it took just a few minutes to reassign the compliance reminders to the new employee. Now

that employee receives e-mail notification of an upcoming task and is automatically guided to the instructions to perform the task and the form to be filled out to document the completed task.

Looking to the Future

Computer-based programs such as NetDMR, the new Electronic Hazardous Waste Manifesting system and environmental management software programs can help to ensure better compliance and can lower compliance costs. **SWS**

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