

City of Lumberton Enforcement Response Plan

Items in **Bold** are strongly recommended as Absolute Minimum Actions

Type of Violation	POTW Action	Timeframe	Responsible Official	Expected Action from User	Escalated Action if Needed
<i>Unpermitted Discharges</i>					
Unpermitted Discharge Unaware Of Requirement	Notice Of Violation	Within 14 Days Of Discovery Of Discharge	Lab Supervisor	File Permit Application	Suspend Service Until Permit Is Issued
Unpermitted Discharge Aware Of Requirement	Notice Of Violation With Penalty Assessed	Within 30 Days Of Discovery Of Discharge	Director Of Environmental Utility Serives	File Permit Application	Suspend Service Until Permit Is Issued
Unpermitted Discharge results in NPDES violation	Order to Cease Process causing Violation Notice of Violation with recommended minimum of \$ 1000 and up to \$25,000/day per violation	Order to Cease Immediately Notice of Violation within 7 days	Director Of Environmental Utility Serives	File Permit Application Steps Taken to avoid violation	Suspend Service Until Permit Issued

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Unpermitted Discharge results in Endangerment	Suspend Service Notice of Violation Penalty with recommended minimum \$1000 and up to \$ 25,000 per day per violation	Suspend Service Immediately Notice of Violation within 7 days	Director Of Environmental Utility Services	File Permit Application Steps Taken to avoid future endangerment	

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Permit Limits Violations					
Permit Limits Violation Single Event Minor	Notice of non-Compliance or Notice of Violation with 0 to \$ 25,000 Penalty	Within 14 days of receiving data (Once in each 6-month period)	Pretreatment Coordinator	Conduct Additional Monitoring and Return to Compliance	Notice of Violation with Penalty of \$50.00 to \$25,000.00
Permit Limits Violation Technical Review Criteria(TRC)	Notice of Violation with 0 to \$ 25,000 Penalty	Within 14 days of receiving data (Once in each 6-month period)	Lab Supervisor	Conduct additional monitoring and return to compliance	Second Notice of Violation with minimum penalty of \$100.00 maximum penalty of \$25,000.00
Permit Limits Violation Significant non-Compliance	Notice of Violation with 0 to \$ 25,000 Penalty	Within 30 days of Receiving all the Data	Lab Supervisor	Report cause of Non-compliance and steps taken to prevent violation	Enforceable Schedule (AO) if not resolved by the end of 2nd 6-month period

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Permit Limits Violation causes NPDES violation	Order to Cease process causing Violation Notice of Violation WITH Penalty recommended minimum \$ 1000 and up to \$ 25,000/ day per violation	Order to Cease Immediately Notice of Violation Within 7 days of Discovering Violation (Once in each 6-month period)	Director Of Environmental Utility Services	Report cause of Non-compliance and steps taken to prevent violation	Suspend Service Until resolved Enforceable Schedule (AO) if not resolved by the end of 2nd 6-month period
Permit Limits Violation Causes Endangerment	Suspend Service Notice of Violation WITH A Penalty recommended minimum \$1000 and up to \$25,000 per day per violation	Suspend Service Immediately Notice of Violation within 7 days	Director Of Environmental Utility Services	File for Reissuance of Permit	

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<u>Other Violations</u>					
Self Monitoring Violations	Notice of Violation with a recommended Minimum Penalty of \$200.00	Within 14 Days of Discovering (Once in each 6-month period)	Pretreatment Coordinator	Conduct Missed Sampling	Second Notice of Violation with Penalty equal to Twice Cost of Missed Testing
Reporting Violations Late Report	Notice of Non-Compliance	Within 14 days of the Report Due Date (Once in each 6-month period)	Lab Supervisor	Submit Report	Notice of Violation Penalty Assessed Possible SNC if over 30 days
Reporting Violations Incomplete or Inaccurate Reports	Notice of Non-Compliance	Within 30 days of Report Submission (Once in each 6-month period)	Pretreatment Coordinator	Submit Revised Report	Notice of Violation Penalty Assessed
Reporting Violations Intentional Falsification	Referred to District Attorney	As soon as suspected	Director Of Environmental Utility Services		

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Violation of Permit Conditions	Notice of Violation with Penalty up to \$25,000 per day per violation	Within 30 days of Discovery (Once in each 6-month period)	Pretreatment Coordinator or Director Of Environmental Utility Services	Varies	Second Notice of Violation with Increased Penalty
Violation of Permit Conditions (Endangerment)	Suspend Service Notice of Violation with up to \$25,000 per day per violation Penalty	Suspend Service Immediately Notice of Violation Within 7 days	Director Of Environmental Utility Services	Steps taken to Avoid Reoccurrence	
Violations of Enforcement Order Conditions or Limits	Notice of Violation assess Stipulated Penalty and Actions listed for same violation type in ERP	Within Time frame listed in Enforcement Order or For the Same Type of Violation in ERP	Pretreatment Coordinator or Director Of Environmental Utility Services	Additional Monitoring and Steps taken to avoid recurrence	Same as Escalated Action for Same Type of Violation Possible Revocation of Order

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Failure to Meet a Milestone Date in an Enforcement Order (Does not Affect Other Dates)	Notice of Violation and Assess Penalty Stipulated in Order	Within 14 days of Discovery	Lab Supervisor	Submit a schedule to complete the Requirement	Show Cause Hearing
Failure to Meet a Milestone Date in an Enforcement Order (Affects Other Dates)	Show Cause Hearing and Assess Stipulated Penalties	Within 30 days of Discovery	Director Of Environmental Utility Services	Negotiate new Order and Abide by New Conditions	Possible Termination of Service
Failure to Meet Final Compliance Date	Notice of Violation and Assess stipulated penalties	Within 14 days of Discovery	Director Of Environmental Utility Services	Document Compliance	Possible Termination of Service