

Environmental Compliance 101
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Environmental Compliance 101

An Interactive Workshop for Health & Safety Pros

PROVIDED FOR:



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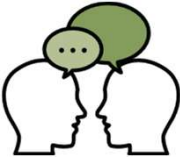
LINDEN TERPSTRA Founder

More EHS leaders are being asked to own environmental work.

I make sure you're set up to succeed.

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Take a moment to **introduce yourself** to your neighbor.

- Share why you came to this session today.
- Share one thing you're hoping to walk away with.

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You'll Walk Away With

- Clarity** on what environmental compliance requires of you.
- Visibility** into where your facility's biggest gaps might be.
- Confidence** to ask the right questions (and catch things).
- A starting point** you can take back to your facility this week.

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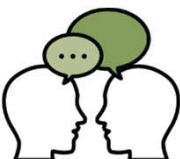
Ground Rules

This is not a **comprehensive legal training**.

- Ask questions** as we go.
- Your experience matters.** We'll learn from each other.
- Think about your plant** and make it applicable to you.

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Take a moment to think about **who owns environmental** at your facility.

- Is it clearly defined or does it fall to whoever notices first?
- What environmental tasks land on your desk that you weren't trained for?

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Why This Matters

Environmental is increasingly owned by **H&S professionals**.

Most violations aren't intentional, but they create headaches.

The person who signs is **personally accountable**.

Not knowing the requirement is **not a defense**.

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What exactly is “Environmental Compliance”?

The rules that govern what your facility puts into the air, water, and ground – **and how you prove you're following them.**

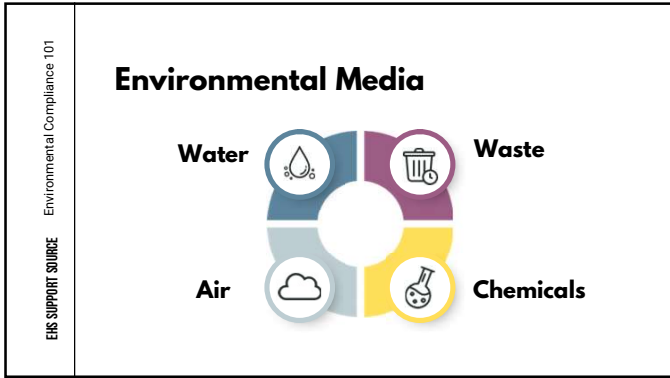
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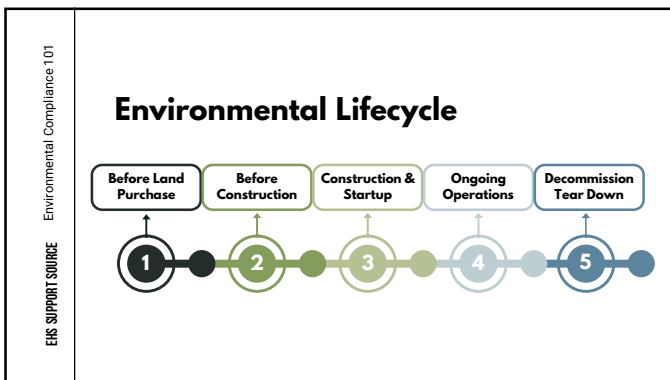
This is a workbook.



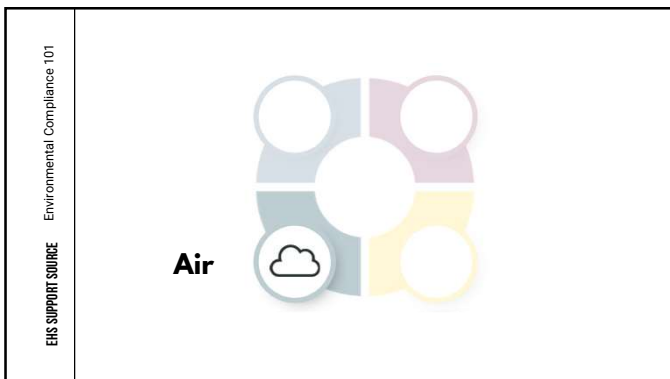
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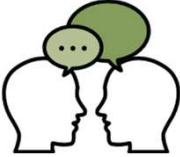
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Air Quality Permitting

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Think about your facility right now. Write down:

- A current or upcoming project.
- Equipment and changes involved.
- Guess: Does it need an air permit?

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Permitting Triggers

- Combustion Units** (Boilers, Generators, Turbines)
- Process Vents** (Chemical, Coating, Fermentation)
- Storage Tanks** (VOC Emissions)
- Material Handling** (Particulate Emissions)

↖ Does your project involve one of these?

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Air Quality Construction Permitting

Ensure new or modified equipment can **legally operate** before construction.

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Construction Permitting Process

1. Define the Project
1. Estimate **Emissions**
1. Determine **Applicability**
1. Prepare & Submit **Application**
1. Agency **Review & Revisions**

Potential to Emit (or PTE)

- National Ambient Air Quality Standards
- NSPS / NESHAP
- NSR / PSD / NNSR / Exempt

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Regulated Pollutants

Criteria Pollutants

- NO2/NOX
- CO
- PM
- VOCs
- SO2
- Lead

Regulated Pollutants

Hazardous Air Pollutants

- Hexane
- Toluene
- Methanol
- Formaldehyde
- Metals

List of HAPs

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Operating Permits in Wisconsin

5-Year Renewal

Permit Type	Applies To	Key Feature
Title V / Part 70	>100 tpy of Criteria Pollutants >10/25 tpy HAPs	Most Comprehensive Federal Operating Permit
State Operating Permit	Minor Sources with Significant Requirements	State-Specific Conditions
Registration Permit (ROP-A, B, C)	Lower-Emitting Facilities	Streamlined with Facility-Wide Caps
General Permits	Rock Crushing Plants Hot Mix Asphalt Plants	Specific to facility types.
Operation Permit Exemption	Annual	Must Be Documented and Maintained

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Air Quality Compliance

Air

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As-Built Permit Updates

Construction rarely goes exactly as planned. When that happens – your permit needs to reflect reality.

You really need to review your permits.

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Compliance Planning

Build Your **Compliance Calendar**

Set Up Your **Recordkeeping System**

Understand Plans **When Deviations Happen**

- Startup Notifications
- Initial Stack Testing Deadlines
- First Reporting Period

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Action Items

- 3 Pull and review all of your facility's **current air permits**.
 - Confirm you have the most current version of each permit.
 - Identify every monitoring, recordkeeping, and reporting requirement.
- 4 Build a **compliance calendar** for your air permits.
 - List every monitoring, reporting, and testing deadline for the next 12 months.
 - Assign a named owner to every item.

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Stack Testing

New or modified source subject to a **NSPS** or **NESHAP**.

Permit condition requires initial or periodic testing.

State specifically requests **compliance demonstration**.

Emission control equipment is installed or modified.

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Stack Testing Timeline

Determine Requirements

Develop Test Plan

Schedule Vendors (30 Days Before)

Notify State (30 Days Before)

Conduct Test

Submit Test Report (60 Days After)

Things Go Wrong Here

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Think about stack testing at your site.

- Do you do stack testing initially, periodically, or not at all?
- Do you know when your next test is due and which pollutant you're testing for?

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Operations & Maintenance Plan

Control Device ID	Control Device Description	PM Description	PM Frequency	PM No.	Responsibility	PM Basis	Tracked Via	Permit No.

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12-Month Rolling Calculations

Rolling limits are commonly used for:

- Facility-wide emission caps
- Major source thresholds
- Registration permit emission caps
- Fuel usage limits
- Production throughput limits
- Operating hour limits

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12-Month Rolling Calculations Example

Monthly Emissions (tons)	12-Month Rolling Total (tons)	Permit Limit (tons)	Status	Month
2.1	24.3	25.0	✓	Jan 2026
2.4	24.6	25.0	✓	Feb 2026
2.8	25.1	25.0	✗	Mar 2026

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Action Items

- 5 Confirm if your permit requires **12-month rolling calculations**.
 - Review your permit conditions for any 12-month rolling tracking requirements.
 - Set up a tracking spreadsheet.
 - Compare against permit limits.

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Air Quality Reports



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(Some) Common Air Reports

Who	Due Date	Report
All Permitted Facilities	March 1	Annual Compliance Certification
All Permitted Facilities	March 1	Annual Emissions Inventory
Title V Facilities	March 1 / September 1	Title V Semi-Annual Report
All Permitted Facilities	Per Permit / Based on Events	Excess Emissions Report
All Permitted Facilities	Per Permit	Deviation Report
CEMS Facilities	Quarterly / Annually	CEMS Report
Specific NSPS/NESHAP	Varies	Initial Notification
Specific NSPS/NESHAP	Varies	Notification of Compliance Status (NDCS)
Specific NSPS/NESHAP	Varies	Semi-Annual Compliance Report

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Think about air quality reports at your site.

- Which of the reports on your worksheet does your facility submit?
- Who is responsible for submitting them?

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Annual Emissions Inventory

Tracks **actual emissions** vs. permitted limits for year.


Wisconsin reports through **Air Reporting System (ARS)**.



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GHG Reporting

GHG reporting under EPA's GHGRP (40 CFR Part 98) is about reporting emissions above **25,000 metric tons CO₂e per year**.

Federal GHG reporting is submitted directly to EPA via **e-GGRT**.

(Some companies do voluntary reporting, too.)



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Ozone Depleting Substances

Industrial facilities with **refrigeration and air conditioning equipment** may have compliance obligations under 40 CFR 82 Subpart F regulations.

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Construction Stormwater

Water

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Construction Stormwater Permit (NPDES)

Required when **>1 acre** of land disturbance.

Develop **SWPPP** and install **Best Management Practices (BMPs)**.

File **Notice of Intent (NOI)** >14 Days Prior to Construction.

Conduct onsite **weekly inspections**.

WI Construction Storm Water Permits

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Construction Stormwater Management BMPs



Silt Fence


Sediment Trap

Sediment Trap

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Action Items

6 Check if projects trigger a **construction stormwater permit**.

- Does any project disturb 1 acre+ of land?
- Confirm whether a SWPPP has been developed and BMPs are installed.
- Confirm weekly inspections are completed.

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Wastewater Permitting

Water



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Wastewater Streams

Hydrostatic Testing Wastewater

Utility Condensate / Non-Contact Cooling Water

Process Wastewater

Stormwater Discharge

Sanitary Discharge to POTW

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Think about every point where water leaves your facility.

- Can you identify every wastewater stream generated at your facility?
- Do you know where each stream goes?
- Are all of your discharge points permitted, authorized, or formally evaluated as exempt?

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WPDES Permits for Direct Discharge

Required Before Any **Discharge to Surface Water Begins**

Administered by **Wisconsin DNR**

Individual WPDES Permit or **General Permit**



6-12+ Months Timeline to Obtain

Example: Non-Contact Cooling Water or Boiler Blowdown

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Pretreatment / Discharge to POTW

POTW will evaluate:

- Can they accept the discharge?
- What local limits apply?
- Is a formal **Industrial Pretreatment Permit Required** ?



Discharge Limits

Pretreatment Requirements

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Significant Industrial User (SIU)

Discharge of **>25,000 gallons per day**

Makes up **5% or more** of POTW Design Flow

Subject to **Categorical Pretreatment Standards**

Designated by POTW Due to Potential **Adverse Effects**

Metal Finishing

Electroplating



Pharmaceutical Manufacturing

Pulp and Paper

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Other Types of Wastewater Types

Hydrostatic Testing

Construction Dewatering

To POTW with Authorization


To Surface Water with WPDES Permit Coverage

Hauled Offsite

Need to Also Check Prohibited Discharges Under County

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Think about industrial wastewater generation and discharge at your facility.

- Does your facility generate industrial wastewater?
- Do you know if it requires a WPDES permit or POTW authorization?
- What is the biggest pain point your facility faces in managing wastewater compliance?

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Action Items

7 Map every wastewater stream **leaving your facility**.


- List all discharge points.
- Confirm each stream is permitted, authorized by POTW, or formally evaluated as exempt.

8 Review your facility's **industrial wastewater or pretreatment permit**.

- Identify all sampling and reporting requirements in your permit.
- Identify all requirements in your permit.
- Update the facility's compliance calendar.

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WPDES Permit Compliance

Compliance with **Effluent Limits**

Common **Monitored Parameters**

Permit Renewal **Every 5 Years**

- pH
- Temperature
- Total Suspended Solids (TSS)
- Oil & Grease (FOG)
- Metals

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Discharge Monitoring Reports (DMRs)

Submitted via WDNR's **eDMR System**

Frequency Depends on Permit (**Monthly, Quarterly, Annually**)

Must be signed by **Responsible Official**

Notifications for **Spills** or **Effluent Limit Exceedances**

Easy Inspection Trigger

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Pretreatment Program Compliance

Specific **Reporting Requirements** (for SIUs, too)

Sampling and Monitoring **Per Permit Conditions**

Slug Discharge Control Plan

POTW Notifications for **Unusual Discharge, Slugs** or **Spills**

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Wastewater Treatment System O&M

Equipment failures don't pause your effluent limits. **Proper O&M** of your treatment system is a permit requirement.

Your operators may need to be **Wisconsin DNR certified**.

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Industrial Stormwater



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Industrial Stormwater Permit

1. Determine **Permit Coverage** — **Under 11 Sectors or "Industrial Activity"**
1. Notice of Intent (**NOI**) — **Wisconsin DNR's Online System**
1. Develop **SWPPP** — **Sign by Responsible Official**
1. **BMP Installation** — **Secondary Containment Storage Areas / Spill Kits**
1. Employee **Training** — **All Employees Working in Area**

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Required SIC Codes for Stormwater Permit

1. Heavy manufacturers defined by their primary Standard Industrial Classification (SIC) Code, which represents the primary income-producing activity at the facility, listed in Table 1.

SIC Code	Heavy Manufacturers SIC Description
2000-2099	Lumber & Wood Products
2600-2699	Paper & Allied Products
2800-2899	Chemicals & Allied Products
2900-2999	Petroleum Refining & Related Industries
3100-3199	Leather Tanning & Finishing
3200-3299	Stone, Clay, Glass & Concrete Products
3300-3399	Primary Metal Industries
3400	Fabricated Structural Metal
3700-3799	Ship & Boat Bldg. & Repair

Listed SIC Codes



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No Exposure Certification

A facility qualifies for a **No Exposure Certification** when all industrial materials and activities are protected by a storm-resistant shelter.

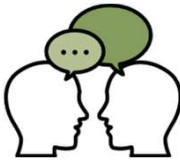
Submitted through WDNR's Online ePermitting System



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Think about your facility's stormwater obligations.

- Is your facility under a listed SIC code?
- Does your site have an active industrial stormwater permit or No Exposure Certification?
- Does your site have exposed industrial materials or activities?





Listed SIC Codes

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Industrial Stormwater Permit

Requirement	Frequency	Notes
SWPPP Review & Update	Annual Minimum	Update After Change
Quarterly Inspections	4x Per Year	Document All Findings
Annual Comprehensive Inspection	Annual	Update SWPPP As Needed
Benchmark Monitoring	Per Permit Sector	During Qualifying Storm Events
Annual DMR Submission	Annual	Via eDMR System

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Spill Prevention, Control & Countermeasure (SPCC) Plan

Water

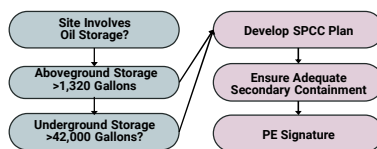


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SPCC Plan

Know your oil storage obligations before construction begins.



```

graph TD
    A[Site Involves Oil Storage?] --> B[Develop SPCC Plan]
    C[Aboveground Storage >1,320 Gallons] --> B
    D[Underground Storage >42,000 Gallons?] --> B
    B --> E[Ensure Adequate Secondary Containment]
    E --> F[PE Signature]
  
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SPCC Plan

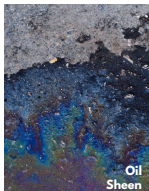
Monthly Inspections

Comprehensive Review **Every 5 Years**

Annual Training

Updates within 6 Months When:


- Oil storage is Added, Removed or Relocated
- Secondary Containment is Modified
- Discharge of Oil to Navigable Waters Occur



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Spill Reporting Processes

Report To	When	Written Report	Scenario
Wisconsin DNR	Notify As Soon As Possible	Within 30 Days	Any release threatening waters of the state.
National Response Center	Notify Immediately (Within 15 Minutes)	No Written Follow-Up Required	Oil sheen on navigable water OR CERCLA reportable quantity release.
Wisconsin SERC / LEPC	Notify Immediately	Within 7 Days	EHS or CERCLA release affecting persons outside facility boundary

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Action Items

9 Confirm your facility's **industrial stormwater compliance status.**

- Verify you have either an active industrial stormwater permit or a No Exposure Certification (NEC) on file.
- Verify the SWPPP reflects current operations.

10 Determine if your facility meets **SPCC thresholds.**

- Total facility-wide oil storage and evaluate against SPCC thresholds.
- If SPCC Plan is available, review contact information and oil storage inventory.

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Waste

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Construction Waste

Pre-Demolition Survey
Define Who Owns Waste



Facility Remains Liable for **Improper Contractor Disposal**

Responsibility for **Soil Management**



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What is Waste Characterization?

The process of determining whether a waste stream is:

- Hazardous** – Regulated under RCRA Subpart C
- Universal Waste** – Streamlined Management Standards
- Non-Hazardous** – Regulated under RCRA Subtitle D or State Rules
- Exempt** – Regulated under RCRA Subtitle D or State Rules

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Waste Determination

Every generator must determine if each waste stream is hazardous.


- Is it a **waste**?
- Is it **excluded** or **exempt**?
- Is it a **listed waste**? (F-List, K-List, P-List, U-List)
- Is it a **characteristic waste**? (ignitable, corrosive, reactive, toxic)

Document Each Determination



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Think about how your organization currently conducts waste determinations.

- Who at your facility is responsible for making waste determinations?
- Is it documented?
- If a new waste stream is generated tomorrow, what's the process?

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Know Your Generator Status

	VSQG	SQG	LQG
Monthly Generation (Non-Acute Waste)	<220 lb	<2,205 lb	>1,000 kg (>2,200 lb)
Monthly Generation (P-Listed Waste)	<2.2 lb	<2.2 lb	No Limit
Accumulation Time	No Limit	270 days	90 days
Storage Limit	1 kg (2.2 lb) Acute Waste	6,000 kg (13,200 lb)	No Limit
Reporting	None	Biennial	Biennial

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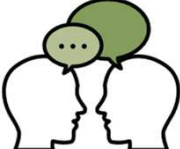
Understanding Universal Waste

- Batteries
- Aerosol Cans
- E-Waste
- Mercury-Containing Equipment
- Waste Lamps

- "Universal Waste - Description"
- Accumulation Time Limit of 1 Year
- Determine Generator Status
- Specific Waste Management Requirements

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Think about how your organization currently tracks waste.

- Do you know your current generator status?
- Do you know where all of your waste streams are disposed of?


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Waste Reporting Requirements

Due	What	Who
Per Shipment	Waste Manifest (via RCRAInfo e-Manifest)	SQG / LQG
Due March 1	Wisconsin Annual Report (via RCRAInfo)	SQG / LQG
Every 2 Years (By March 1)	Biennial Report	LQG
30 Days Prior to Event for Planned Events	Episodic Generation Report	VSQG



e-Manifest User Registration

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Waste Storage & Labeling Requirements

- Closed Containers**
- Good Condition**
- Compatible Materials**
- Periodic Inspections**



HAZARDOUS WASTE


ACCUMULATION START DATE _____

CONTENTS _____

HANDLE WITH CARE!
CONTAINS HAZARDOUS OR TOXIC WASTE

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Action Items

11 Create a **waste stream matrix** for your facility.

- List every waste stream.
- Identify whether each stream is hazardous, universal, or non-hazardous.
- Document requirements for each stream.
- Document the approved disposal vendor for each stream.

12 Establish a **monthly waste generation** tracking system.

- Track total hazardous waste generated each month by waste stream.
- Compare monthly totals against your generator status thresholds.
- Flag any month where generation approaches the next threshold level.

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Chemicals

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Chemical Inventory



Chemicals

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Chemical Inventory Planning

Knowing what chemicals you have, how much you store, how much you purchase, and their composition will accelerate environmental compliance.

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Action Items

13 Update your facility **chemical inventory**.

- List every chemical on site by name and CAS number.
- Record maximum quantities stored and purchased annually.
- Include composition data from SDS for each chemical.

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Tier II Chemical Inventory Reporting

Report Storage of **Hazardous Chemicals**

Reported Annually via **Wisconsin Hazmat Online Planning and Reporting System (WHOPRS)**

Data Submitted to **LEPC, Fire Department & SERC**



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Tier II Reporting Applicability

Chemical Inventory & Composition

- Any Hazardous Chemical > 10,000 lb
- Any Extremely Hazardous Substance (EHS) > 500 lb

List of Extremely Hazardous Substances

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Toxics Release Inventory (TRI) Reporting

Chemicals

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Toxics Release Inventory (or TRI) Reporting

Report Releases of **Listed Toxic Chemicals**

Reported Annually via **EPA's TRI-MEweb System**

Data is **Publicly Available**

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TRI Reporting Applicability

Manufactured > 25,000 lb

Processed > 25,000 lb

Otherwise Used > 10,000 lb

TRI-Listed Chemicals

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Action Items

14 Review your facility's chemical inventory against **Tier II Reporting** thresholds.

- Compare against 10,000 lb threshold and 500 lb EHS threshold.
- Confirm correct for RY2025 submission.

15 Evaluate your chemical inventory against the **TRI-listed chemicals**.

- Identify any listed chemicals that are **manufactured, processed, or otherwise used** at your facility.
- Compare quantities against reporting thresholds.

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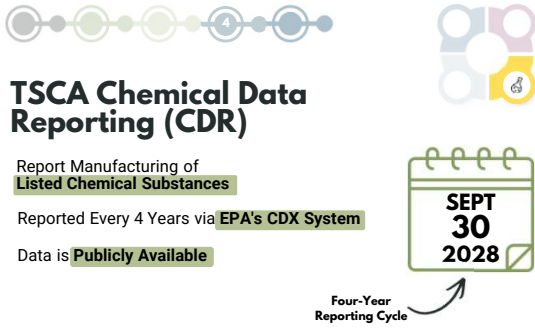
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TSCA Chemical Data Reporting

Chemicals

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TSCA Chemical Data Reporting (CDR)

Report Manufacturing of **Listed Chemical Substances**
 Reported Every 4 Years via **EPA's CDX System**
 Data is **Publicly Available**

SEPT 30 2028

Four-Year Reporting Cycle

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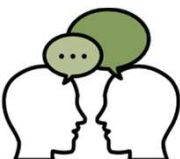
EPA's Risk Management Program



Chemicals

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Take a moment to think about **your chemical inventory**.

- Have you ever compared your inventory against the RMP regulated substances list?

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EPA's Risk Management Plan (RMP)

Requires facilities to identify, assess, and manage risks from regulated substances before operations begin.

- Applicability Determination
- Process Safety Information
- Process Hazard Analysis (PHA)
- Offsite Consequence Analysis (OCA)



List of Regulated Substances



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RMP / PSM Activities Before Startup


- Specific **Operating Procedures** for Covered Processes
- Training** on Covered Process Operating Procedures
- Pre-Startup Safety Review (PSSR)** Prior to Startup
- Submission of **Risk Management Plan** in EPA CDX

Due Every 5 Years

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RMP/PSM After Startup

- Management of Change** for the Covered Process
- Mechanical Integrity** for Covered Process Equipment
- PHA Updates / **Revalidation**
- Specific **Incident Investigation** Requirements
- Compliance Audits** Every 3 Years

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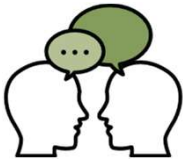
Action Items

16 Compare your chemical inventory against the RMP regulated substances list.

- Identify any regulated substance stored at or near threshold quantities.
- If applicable, determine your RMP program level (1, 2, or 3).
- Confirm whether a Risk Management Plan has been submitted.

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Think about how your organization currently manages changes.

- Does your facility have a formal or informal MOC process?
- Who decides whether a change triggers environmental review?

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Due Diligence




Water **Waste**
Air **Chemicals**

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Pre-Purchase Environmental Requirements

Has the site ever had **industrial use** or **contamination**?

Are there **wetlands, floodplains,** or **protected species** nearby?


What's under the surface – **old tanks, fill, or buried lines**?

What **zoning** or **environmental reviews** are required?

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Phase I Environmental Site Assessment (ESA)

Establishes environmental risk and liability prior to acquisition or financing.


```

    graph LR
      A[Records Review] --> B[Recognized Environmental Conditions (RECs)]
      C[Site Reconnaissance] --> B
      D[Interviewing Owners] --> B
      B --> E[Phase II Investigation]
      B --> F[Data Gaps & Uncertainties]
      F --> G[No Further Action]
  
```

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Phase II Environmental Site Assessment (ESA)

Evaluate presence and extent of contamination identified in Phase I.

```

    graph LR
      H[Targeted Sampling] --> I[Confirmed Presence of Contamination]
      J[Laboratory Analysis] --> I
      K[Delineation of Impacts] --> L[Confirmed Absence of Contamination]
      I --> M[Regulatory Criteria]
      L --> N[Phase III (Remediation)]
  
```

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Phase III Remediation
Mitigate contamination and achieve regulatory closure.

Remediation Strategy & Corrective Actions
Regulatory Coordination & Reporting

Reduced Contamination

Path to No Further Action (NFA)

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Other Pre-Construction Activities

Wetlands/Waters of the U.S.
National Environmental Policy Act (NEPA)
TSCA Pre-Manufacture Notice / Significant New Use Rule
Environmental Justice Area

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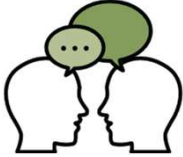
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Decommissioning

Water Waste
Air Chemicals

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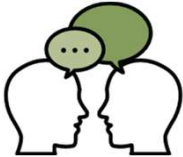



Think about a piece of equipment or a building at your facility that's been out of service for years.

What it would actually take (environmentally) to tear it down or remove it?

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Identify 3 things related to environmental compliance that you'll check on when you get back.

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This also has the checklist.



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Questions?

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Let's connect on LinkedIn!
