

Pretreatment Case Study

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Lessons Learned/Must Do's

- Identify the purpose of your inspection
- Good field notes yield good inspection reports
- Inspector field notes and inspection reports are critical to
 - The enforcement case
 - Your credibility in court
 - Corroborates your testimony in court
 - Allows you to refresh your recollection
- Field notes and inspection reports should be
 - Objective
 - Factual
 - Free of any personal feelings
 - Clear, concise and objective

Prior to the Inspection

The “Inspection”

Highlights/Key Points:

- * The ride to the industry
- * Entry into the building
- * Opening conference
- * Inspection overview
- * Lunchtime sampling
- * Closeout meeting

Follow-up To the Inspection

Key Points:

- * Contact with Criminal Investigation Division (CID)
- * Writing the inspection report
- * Prep for another inspection
- * Preparing for a search warrant

CID Inspection

- Highlights:
 - * Assistance to CID
 - * Report follow-up

Criminal Enforcement Involvement

- Prep for a Grand Jury
- Affidavits

Suppression Hearing

- What is a suppression hearing?
- Results could have an impact on your case.... well I guess so.....

Criminal

- US Attorney's Office drops the case, now where do we stand?

Hyde Amendment

Now the lowlights...

- Lawsuit against US Gov, EPA and individuals
- How I found out.....
- Now what do you do???
- Endless meetings with Attorneys

Personal Liability

- Do you have personal liability insurance?
- Do you know what it is?
- Will you be covered?

4th Amendment

- Do you know what it is?

Support???????

- From who?
- Where?
- Why?

United States Court of Appeals

1st Circuit Decision

There is no reasonable
expectation of privacy in
industrial wastewater on
its way to a public
sewer!!!!!!!



Questions?