

Water Compliance and Enforcement

The test pool is comprised of 40 questions, participants receive 20 questions that are randomly selected. They have three tries to pass the final assessment and must have a 70% passing score to be able to print a certificate.

FINAL ASSESSMENT

Pool 01: Module 1 pool

Question 01: Pick One

What does the Clean Water Act NOT specifically regulate?

Points	Choices
0	Direct discharges to water ways
5	Drinking water standards
0	National pre-treatment standards
0	Discharges of oil and hazardous substances

Feedback for Full Credit:

That's correct! Drinking water standards are subject to the Safe Drinking Water Act and the remaining categories are covered by the Clean Water Act.

Feedback for Incorrect or Partial Credit:

That's not correct, please try again!

Question 02: Pick One

Authority to enforce the Clean Water Act can be delegated to?

Points	Choices
0	Private Water Companies
0	System Operators
5	States and local governments
0	Approved Non-Profit Groups

Feedback for Full Credit:

That's correct! The Clean Water Act permits EPA to delegate enforcement and oversight of this program to approved states and local governments. The other entities can not exercise any enforcement authority related to the Clean Water Act.

Feedback for Incorrect or Partial Credit:

That's not correct, please try again.

Question 03: Pick One

Criminal Violations of the Clean Water Act Required:

Points	Choices
5	Knowing or Negligent intent
0	Willful of specific intent
0	Intentional or Direct intent
0	Gross Negligence

Feedback for Full Credit:

That's correct! The Clean Water Act requires a lower level of intent than such specific intent crimes as burglary. An individual alleged to have committed a Clean Water Act Crime must know in general terms that what they were doing was "wrong" but not necessarily the specific provision or regulation of the Act that they were violating.

Feedback for Incorrect or Partial Credit:

That's no correct, please try again.

Question 04: Pick One

Providing false information in a drinking water report can be punishable as a felony.

Points	Choices
5	True
0	False

Feedback for Full Credit:

That's correct! False statements relative to drinking water reporting are not charged under the Safe Drinking Water Act, but they are subject to the federal false statement charge known as 18 USC 1001.

Feedback for Incorrect or Partial Credit:

That's no correct, please try again.

Question 05: Pick One

The Safe Drinking Water Act includes provisions for?

Points	Choices
0	Pre-treatment programs
5	Public Notification Requirements
0	Filling of protected wetlands
0	Discharges of oil and hazardous substances

Feedback for Full Credit:

That's correct! A,C, and D are all covered under the Clean Water Act.

Feedback for Incorrect or Partial Credit:

That's not correct, please try again!

Question 06: Pick One

Delegated state Clean Water Act programs can have more stringent regulations than the EPA's regulations.

Points	Choices
5	True
0	False

Feedback for Full Credit:

That's correct! States can be more stringent in their regulations (once approved by the EPA) but not less stringent than EPA's standards.

Feedback for Incorrect or Partial Credit:

That's not correct, please try again.

Question 07: Pick One

Common Clean Water Act violations include:

Points	Choices
5	Tampering with a monitoring device
0	Failure to protect source water
0	Falsified security measures
0	Improper Drinking Water Alert Notifications

Feedback for Full Credit:

That's correct! B,C, and D are covered under the SDWA and are not stand alone criminal violations within that law. There is a specific criminal provision in the CWA related to tampering with a monitoring device.

Feedback for Incorrect or Partial Credit:

That's not correct, please try again.

Question 08: Pick One

Clean Water Act crimes require specific Intent.

Points	Choices
0	True
5	False

Feedback for Full Credit:

That's correct! Clean Water Act crimes must meet either a general intent or negligence standard – not the more standard of specific intent which requires more evidence of detailed knowledge of the violation in question.

Feedback for Incorrect or Partial Credit:

That's not correct, please try again.

Question 09: Pick One

The Safe Drinking Water’s criminal provisions cover:

Points	Choices
0	Tampering with a monitoring device
0	Falsification of annual drinking water reporting
5	Violations of underground injection control program
0	Improper Drinking Water Alert Notifications

Feedback for Full Credit:

That's correct! Criminal provisions within the SDWA include violations of the underground injection control program – part of the efforts to protect source water.

Feedback for Incorrect or Partial Credit:

That's no correct, please try again.

Question 10: Pick One

Title 18 USC 1001 – the federal false statement criminal charge – covers submissions under both the Clean Water Act and Safe Drinking Water Act.

Points	Choices
5	True
0	False

Feedback for Full Credit:

That's correct! As long as the reports in question, MORs or DMRs are submitted to the EPA or a state delegated program, and are viewed as “material” they can be subject to the federal false statement statute – with up to a 5 year prison term applicable.

Feedback for Incorrect or Partial Credit:

That's not correct, please try again.

Pool 02: Module 2 pool

Question 01: Pick One

Non-Compliance is identified through all of the following, except?

Points	Choices
0	Self disclosures
5	Drinking water standards
0	Inspections
0	Whistle blowers

Feedback for Full Credit:

That's correct! Drinking water Standards are subject to the Safe Drinking Water Act and the remaining categories are covered by the Clean Water Act.

Feedback for Incorrect or Partial Credit:

That's not correct, please try again.

Question 02: Pick One

Criminal prosecutions of water violations require:

Points	Choices
0	Lower burdens of proof than civil violations
5	Higher burdens of proof than civil violations
0	Evidence of harm
0	Lying

Feedback for Full Credit:

That's correct! As in any criminal proceeding the burden of proof to prove a violation is "beyond a reasonable doubt." In civil matters the general standard is "preponderance of the evidence" – often estimated at greater than 50% threshold.

Feedback for Incorrect or Partial Credit:

That's not correct, please try again.

Question 03: Pick One

Among the SDWA's operator certification requirements, an operator must have:

Points	Choices
5	Received required on the job training
0	Received an engineering degree
0	Received chemistry training
0	Received a science degree

Feedback for Full Credit:

That's correct! The Safe Drinking Water Act requires certification of operators, and beyond passing a certification exam and having at least a high school diploma (or GED) each operator must complete proscribed on the job training to receive certification.

Feedback for Incorrect or Partial Credit:

That's not correct, please try again.

Question 04: Pick One

Providing false information on an operator certification can be a criminal violation of federal law.

Points	Choices
5	True
0	False

Feedback for Full Credit:

That's correct! Providing false information to the federal government or a state delegated program related to an operator's certification can potentially be charged as false statements under 18 USC 1001.

Feedback for Incorrect or Partial Credit:

That's not correct, please try again.

Question 05: Pick One

Among the rationales for enforcement of Clean Water Act violations are:

Points	Choices
0	Public embarrassment
5	Deterring others from engaging in misconduct
0	Adding to government revenue through fines
0	Training inspectors

Feedback for Full Credit:

That's correct! Deterrence of similar conduct is a key goal of enforcement at both the EPA and its state counterparts.

Feedback for Incorrect or Partial Credit:

That's not correct, please try again.

Question 06: Pick One

The EPA or state delegated program may issue an information request to a regulated utility requiring them to provide records about plant operations.

Points	Choices
5	True
0	False

Feedback for Full Credit:

That's correct! Section 308 of the Clean Water Act explicitly states that the EPA can issue such information requests and the submissions in response are subject to federal false statement prohibitions.

Feedback for Incorrect or Partial Credit:

That's not correct, please try again.

Question 07: Pick One

Drinking water operators must comply with approximately how many maximum contaminant levels (MCLs)?

Points	Choices
5	Approximately 100
0	Approximately 50
0	Approximately 10
0	Approximately 500

Feedback for Full Credit:

That's correct! "A" is correct as the SDWA requires approximately 100 different MCLs for various contaminants.

Feedback for Incorrect or Partial Credit:

That's not correct, please try again.

Question 08: Pick One

Ramifications of non-compliance can include civil and criminal penalties

Points	Choices
5	True
0	False

Feedback for Full Credit:

That's correct!

Feedback for Incorrect or Partial Credit:

That's not correct, please try again.

Question 09: Pick One

Evidence gathering techniques by criminal investigators in water investigations include:

Points	Choices
0	Civil information requests they submit
0	Inspections they conduct
5	Search warrants they conduct
0	Consumer confidence surveys they initiate

Feedback for Full Credit:

That's correct! Search warrants (which have to be authorized by a judge) may be used in criminal investigations related to water compliance. Criminal investigators can not conduct an "inspection" for the purposes of gaining criminal evidence. That would violate Constitutional requirements against illegal searches, but they may seek consent in such instances.

Feedback for Incorrect or Partial Credit:

That's not correct, please try again.

Question 10: Pick One

Some contaminants regulated by the SDWA require treatment techniques where it's not technically feasible to determine an MCL.

Points	Choices
5	True
0	False

Feedback for Full Credit:

That's correct! Certain contaminants have been determined not to be economically or technically feasible to determine an MCL so treatment techniques are required. Knowingly not applying the applicable treatment techniques may be a violation of the SDWA.

Feedback for Incorrect or Partial Credit:

That's not correct, please try again.

Pool 03: Module 3 pool

Question 01: Pick One

An example of operating outside of the regulatory system is?

Points	Choices
0	Tampering with a monitoring device
5	Failure to obtain a required discharge permit
0	Delaying an inspection
0	Lying on a discharge monitoring report

Feedback for Full Credit:

That's correct! A,C, and D would be best described as false or misleading conduct.

Feedback for Incorrect or Partial Credit:

That's not correct, please try again.

Question 02: Pick One

An example of false or misleading conduct is:

Points	Choices
0	Discharge in excess of a permit limitation
5	Tampering with a monitoring device
0	A fish kill
0	Poor housekeeping of treatment chemicals

Feedback for Full Credit:

That's correct! A discharge in excess of a permit limit would only be deceptive if it was reported falsely. A fish kill would fall into the category of environmental harm and poor housekeeping is not a violation per se.

Feedback for Incorrect or Partial Credit:

That's not correct, please try again.

Question 03: Pick One

Public health impacts are:

Points	Choices
5	A primary trigger for enforcement
0	Required for all Clean Water Act prosecutions
0	Required for all Safe Drinking Water Act prosecutions
0	The leading trigger for enforcement

Feedback for Full Credit:

That's correct! Remember: harm is not required and false and misleading conduct is the leading trigger for enforcement.

Feedback for Incorrect or Partial Credit:

That's not correct, please try again.

Question 04: Pick One

Violations observed by civil inspectors can be referred for criminal investigation.

Points	Choices
5	True
0	False

Feedback for Full Credit:

That's correct! As seen in the Pennsylvania example, serious violations can be referred for criminal investigation.

Feedback for Incorrect or Partial Credit:

That's not correct, please try again.

Question 05: Pick One

Among the primary triggers for enforcement are:

Points	Choices
0	Public concerns
5	Repetitive violations
0	Inadequate training
0	Insufficient maintenance

Feedback for Full Credit:

That's correct! Repetitive violations are one of the 5 top enforcement triggers. The others could be contributing factors to non-compliance or enforcement scrutiny but are not the leading causes of initiating an enforcement action.

Feedback for Incorrect or Partial Credit:

That's not correct, please try again.

Question 06: Pick One

Supplementing drinking water with untreated sources is permissible so long as the bulk of the water is treated:

Points	Choices
0	True
5	False

Feedback for Full Credit:

That's correct! All facilities regulated by the SDWA are subject to all of their water meeting SDWA requirements.

Feedback for Incorrect or Partial Credit:

That's not correct, please try again.

Question 07: Pick One

Avoiding additional repair costs to customers and taxpayers is:

Points	Choices
5	Never a rationale for a violations of the Safe Drinking Water Act
0	A mitigating factor that prosecutors consider in all case
0	A defense against allegations of false DMRs
0	An appropriate reason for bypassing around broken equipment

Feedback for Full Credit:

That's correct! Cost, including repair costs, is not a factor in such cases.

Feedback for Incorrect or Partial Credit:

That's not correct, please try again.

Question 08: Pick One

Partially treated sewage discharges are always permissible if maintenance problems arise.

Points	Choices
0	True
5	False

Feedback for Full Credit:

That's correct. Such discharges must be reported, and even then, may face enforcement scrutiny.

Feedback for Incorrect or Partial Credit:

That's not correct, please try again.

Question 09: Pick One

Potential costs of enforcement actions include:

Points	Choices
0	Monetary fines
0	Incarceration
0	Loss of operational focus
5	All of the above

Feedback for Full Credit:

That's correct. All factors can serve as "costs" – monetary and otherwise.

Feedback for Incorrect or Partial Credit:

That's not correct, please try again.

Question 10: Pick One

A county or city may conduct water inspections.

Points	Choices
5	True
0	False

Feedback for Full Credit:

That's correct! If delegated by the state or permitted under state and local law.

Feedback for Incorrect or Partial Credit:

That's not correct, please try again.

Pool 04: Module 4 pool

Question 01: Pick One

An unplanned event includes:

Points	Choices
0	Sampling discharges
5	An unpermitted release
0	Sending in MORs
0	Treating large volumes of wastewater

Feedback for Full Credit:

That's correct. A,C, and D would be best described as routine occurrences or compliance points.

Feedback for Incorrect or Partial Credit:

That's not correct, please try again.

Question 02: Pick One

Management of Change focuses on:

Points	Choices
0	Applying for a discharge permit
5	Assessing new inputs to your operations
0	Engagement with regulators
0	Elevating enforcement concerns

Feedback for Full Credit:

That's correct. MOC is the process of evaluating change in inputs or to your operations and then working to ensure that such changes are incorporated into your compliance activities.

Feedback for Incorrect or Partial Credit:

That's not correct, please try again.

Question 03: Pick One

Compliance points include:

Points	Choices
5	Sample events
0	After action incident reviews
0	Checklists
0	Awareness of emerging trends

Feedback for Full Credit:

That's correct. B, C, and D refer to best practices to ensure compliance.

Feedback for Incorrect or Partial Credit:

That's not correct, please try again.

Question 04: Pick One

If you uncover misconduct you should only report that to your immediate supervisor.

Points	Choices
0	True
5	False

Feedback for Full Credit:

That's correct. The answer is misconduct should be reported wherever it needs to be reported – from first level supervisors to upper management and directly to regulators.

Feedback for Incorrect or Partial Credit:

That's not correct, please try again.

Question 05: Pick One

Elements of a positive compliance culture can include:

Points	Choices
0	Skip level meetings
0	Emphasis on mission focus
0	Establishing clear conduct expectations
5	All of the above

Feedback for Full Credit:

That's correct!

Feedback for Incorrect or Partial Credit:

That's not correct, please try again.

Question 06: Pick One

A company or utility hotline to report compliance concerns is an example of a “best practice.”

Points	Choices
5	True
0	False

Feedback for Full Credit:

That's correct! Enacting systems and approaches where concerns can be elevated can enhance compliance.

Feedback for Incorrect or Partial Credit:

That's not correct, please try again.

Question 07: Pick One

Certain releases to the environment must be reported to:

Points	Choices
5	The National Response Center
0	The National Environmental Center
0	The National Pollution Center
0	The National Water Center

Feedback for Full Credit:

That's correct. Certain release must be reported to the National Response Center which is managed by the United State Coast Guard.

Feedback for Incorrect or Partial Credit:

That's not correct, please try again.

Question 08: Pick One

Electronic reporting of water compliance data is primarily secret and not open to the public.

Points	Choices
0	True
5	False

Feedback for Full Credit:

That's correct! Water compliance data is generally available to the public.

Feedback for Incorrect or Partial Credit:

That's not correct, please try again.

Question 09: Pick One

The following are considered best practices for compliance:

Points	Choices
0	Maintaining compliance documents on site
0	Conducting post incident review sessions
0	Applying MOC principles to your operations
5	All of the above

Feedback for Full Credit:

That's correct. All three choices represent examples of best practices – but importantly they are successful when effectively implemented and accepted by staff and management.

Feedback for Incorrect or Partial Credit:

That's not correct, please try again.

Question 10: Pick One

Increased transparency of compliance data is an emerging trend.

Points	Choices
5	True
0	False

Feedback for Full Credit:

That's correct! Electronic reporting and advances in technology are making water reporting data for more accessible.

Feedback for Incorrect or Partial Credit:

That's not correct, please try again.