

CLIENT BULLETIN

January 2007

Do you have a representative and defensible compliance sampling / analytical plan?

THE LION GROUP (TLG) provides the CLIENT BULLETIN as a complimentary regulatory information resource to our clients, and associates.

Unfortunately, most companies do not have the fundamental understanding of what constitutes a representative and defensible compliance sampling/analytical plan; therefore, they rely on either their internal or external sampling/analytical resources to provide the required credible results.

In reviewing several compliance sampling/analytical plans, TLG has discovered that the most common mistake is poor documentation practices. Improper sampling documentation and poor analysis is a waste of time and expense, as well as is not acceptable in fulfilling compliance requirements. *Unfortunately, sometimes assumptions and decisions are made based on very poor sampling/analytical data.* It is a common finding that sampling/analytical results are not acceptable from a compliance standpoint. There are specific requirements that should be a part of a compliance sampling/analytical plan, and if not, it is possible that past or current sampling/analytical efforts may not be acceptable. Although there is a long and detailed list of requirements, TLG is providing the following important requirements that should at least be a part of your compliance sampling/analytical plan:

- Is there a written detailed sampling plan for every event?
- Are pH readings conducted in the field with actual temperatures recorded?
- Does the sampling resource provide you with field protocols before the actual sampling events?
- Is there a specific sample point description form that details the specific sample point characteristics?

- Is there a separate and complete field observation document?
- Is the chain-of-custody completed at every step as required by regulators to confirm proper handling of samples?
- Does your analytical results package include all of the quality assurance and quality control information, which is required to provide assurance of the integrity of the reported data?

TLG strongly recommends that a company's Senior Management review their compliance sampling / analytical documentation rather than ask or solely rely on their assigned responsible sampling / analytical resource to do so. **Remember that Senior Management is accountable for environmental compliance.** If there is a finding of uncertainty in the responses from the resource, this could be a "red flag" point of concern. If the resource is not currently providing the specific requirements information, an immediate full audit of the documentation and related regulatory submissions should be conducted. If there is not a fully detailed internal procedure that provides what specific documents are required, then sampling and analytical results may not meet the regulatory criteria for a representative and defensible compliance submission. Remember, the requirements go far beyond the partial listing that TLG has included in this client bulletin; however, this partial list should provide an initial starting point for compliance assurance. Senior Management should be proactive and internally ask the questions rather than be notified by a regulatory agency that the data used in past submissions is not compliant or acceptable.

If you have any questions regarding the contents of this bulletin, or if you have any further interest in discussing this subject further, please feel free to contact TLG (USA Office) at 1.817.244.9107 or tojones.tlg@jaa-tlg.com / mail.tlg@jaa-tlg.com.



Current Interesting TLG projects:

Brazil, California, Mexico, Puerto Rico, and Texas - TLG is conducting and coordinating **Wastewater Characterization Studies relating to manufacturing process wastewater** to establish proper wastewater compliance plans and treatment options. Expected outcomes on these various projects will save a company from \$75,000.00 to \$500,000.00 (US\$) yearly in operational costs, as well as the company will be compliant. TLG is currently providing treatment engineering studies, and working with wastewater treatment vendors to provide the best treatment options for selection.

Argentina, Brazil, California, Colorado, Louisiana, Puerto Rico, and Texas – TLG is currently assisting clients in **determining the status of their sampling/analytical documentation in response to compliance concerns**. In some instances, TLG has acted as the client's representative in addressing questions posed by their respective regulatory agencies on compliance issues. Additionally, in most cases, TLG has been engaged in establishing a comprehensive sampling and analytical program to provide a set of systematic documentation tools to allow the administration of a compliant program, internally.

California, Colorado, Georgia, Illinois, Michigan, Oklahoma, Puerto Rico, and Texas – Due to regulatory changes at federal, state and local levels in regards to stormwater regulations, TLG is **assisting clients in various stages of their stormwater pollution prevention plans**. TLG is providing assistance in every facet from writing plans, providing the required training, conducting both baseline and visual monitoring during stormwater events, and preparing the submissions as required.

Texas – TLG has recently begun to assist a client in the **oil/gas industry in filing the required submissions to the state agency** as to production and environmental aspects of each well site. TLG has also assisted in coordinating efforts in the field as to monitoring testing, sampling, and well closures.

Global – **The JAA-TLG Institute of Professional Education is in the process of scheduling training courses for 2007**. Some of the courses are unique in that they are certified by regulatory agencies, and offer participants with the required continuing educational credits for their professional associations / license. Courses will include subject matters such as **sampling and analytical documentation and sampling techniques, various specific subjects relating to proper emergency response techniques and procedures, stormwater documentation and basic sampling techniques, proper completion of permitting submissions, compliance training in environmental, health and safety auditing, proper techniques as to process wastewater characterizations, and selection of treatment methodologies**.

Domestic USA, Puerto Rico and Americas – TLG is working in a number of regulatory jurisdictions in **preparing or amending permits (air, water and waste)** for clients due to changes in processes, facility changes, including new facilities, product changes, processes changes, volume changes of emissions and facility closures.

Texas – TLG recently assisted a **client who was facing severe compliance action and costly wastewater treatment options** by coordinating efforts with the regulatory agency to develop a closed loop wastewater capture/treatment system and disconnection from the public sewage treatment system. The facility is now a zero discharger and not subject to previous regulations.



TLG NEWS

Due to our growing and expanding services, we have moved to a new location to better serve and accommodate our clients, and associates.

THE LION GROUP Team:

*REGULATORY CONSULTANTS
SAMPLING / TECHNOLOGIES
ENGINEERING / DESIGN / TECHNOLOGIES
and
INSTITUTE of PROFESSIONAL EDUCATION*
is now located in the

TLG OPERATIONS CENTER.

Fort Worth, Texas.

At this time, plans are for
TLG Creative Design / Administrative Services
to remain at the
ADMINISTRATION CENTER, Aledo, Texas.

Please continue to use the same TLG
contact information:

11809 Blue Creek Drive, Aledo TX 76008 USA
Telephone #: 817.244.9107
Fax #: 817.560.3528
Email: mail.tlg@jaa-tlg.com
Website: www.jaa-tlg.com

TLG Team is extremely excited about our future. We are very thankful for the support of all our clients, and associates, who continue to allow TLG to provide value-added services, and cost-effective solutions.

TLG also has some exciting future plans as well. Stay tuned for more information!

TLG Sampling / Technologies Group – has increased its capacity to sample our client’s private industry and public municipality wastewater and stormwater emissions by adding over 50 sampling devices. The new sampling devices are for wastewater composite sampling, constant flow monitoring, constant pH monitoring, and automated bacteria sampling. A number of TLG’s sampling equipment allows field analysis at the site specifically for some wastewater characteristics. TLG undertook to expand our sampling equipment and capabilities in order to provide quick and accurate sampling for both private industries and regulatory agencies. Additionally, TLG Sampling/Technologies Group has expanded computerized field documentation capabilities, which can be provided instantly to clients as some sampling events occur.



THE LION GROUP

Regulatory Consultants

- Environmental · Health · Safety

Sampling / Technologies

- Air · Soil · Water

Engineering / Design / Technologies

Creative Design / Administrative Services

Institute of Professional Education

- Specialized Regulatory Training Courses

DISCLAIMER: The intent of THE LION GROUP "CLIENT BULLETIN" is to provide the reader with information regarding regulatory activities. The topics are presented in a very general sense, and are combined with interpretations and opinions from THE LION GROUP. The reader is encouraged to contact THE LION GROUP for further information as it relates to their specific situation, or contact their appropriate company professional. THE LION GROUP makes no warranty, express or implied, nor does THE LION GROUP assume any legal liability as to accuracy, completeness, or usefulness of any of the information in THE LION GROUP "CLIENT BULLETIN."



