

# Welcome

## Advanced Inspector Training

### NACT 355



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## Instructors/Facilitators

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## Administrative

- Facilities
  - Rest Rooms, Emergency Exits
- Schedule/breaks
- Lunch
- Sign-In Sheet

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## Ground Rules

- Ask questions
- Participate
- Provide instructors with benefit of your experience
- Be on Time
- Feedback on Evaluations - Online

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### Required to Receive Certificate

- Sign in every day
- Must fill out evaluation

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### This Course

- Lecture/seminar/facilitated discussion
- Participation is critical - this is your class
- To develop/expand existing skills/knowledge
- New materials and enhanced refresher training
- Does not focus on any one program or set of regulations - provides fundamentals for all programs

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### Policies, Procedures, and Practices

- Course presents “best” practices
- Inspectors must adhere to their AGENCY's policies and practices
- Consistency is crucial to creditability of the inspector and admissibility of evidence

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### Audience Introductions

- Your name
- Your agency and program
- Years of experience (with agency & other)
- Number of inspections you have done
- Any issues you would like to discuss?

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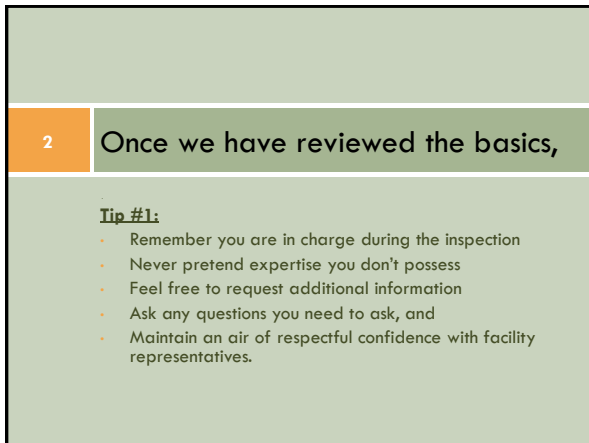
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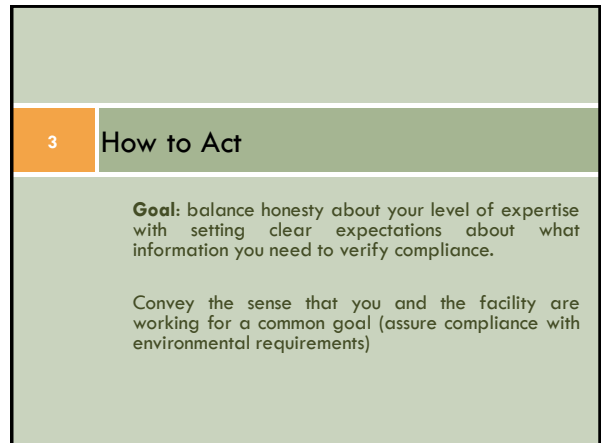
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4 Getting to know you . . .

Review the facility permit, and any available permit-writing documents.

The permit tells you what the facility does, what conditions it must meet, and what regulations apply to the facility.

Be alert to how many permits apply to your inspection period and whether anything has changed at the facility recently.

The permit/s provide the primary basis for your evaluation of compliance.

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5 Remember!

An inspector must have concrete evidence of compliance or non-compliance. Look for the basics:

- ❖ compliance monitoring,
- ❖ recordkeeping, and
- ❖ reporting

What requirements are in permits to identify what you must verify at the inspection.

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6 Your final pre-inspection step: Prepare equipment and a safety plan.

1. Create a written list of all required equipment and safety gear.
2. Check the status of equipment—functioning, batteries charged, backups, personal gas monitor active?
3. Do you have your PPE ready (e.g., fluorescent vest, safety glasses/goggles, respirator, gloves, etc.)

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7 The Permit


- If you have more than one permit for the time period covered by your inspection, it is imperative to know if any conditions or regulatory requirements have changed during that period.
- Keep track of changes to verify you are checking facilities for the correct conditions at the right time.
- Determine if you can address regulatory requirements more efficiently using a checklist. **An expert tries not to go over the same ground twice.**
- The permit conditions may **not be adequate** to address all relevant portions of a certain regulation.

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**8** Things to look for, (cont'd)

- Be alert for permit language that translates enforceability. Be aware up front what is clear in a permit and what may not be enforceable.
- If you think there is an error in permit language, consult with the permit writer to determine if a permitting change is needed. (Good Idea to always talk with permit writer)
- Remember that you must inspect against the current permit for the inspection.

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**9** Rules “is” rules, buddy . . . 

Regulations define in large measure how the facilities you inspect must operate. Review the state, federal and local regulations that apply to the facility.

Keep in mind that you'll need to address all relevant regulations in your permit checklist or your individual regulatory checklists.


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**10** Some things to keep in mind regarding regulations: 

**Tip #2:**  
Be alert to regulatory testing requirements, and how these may or may not agree with permit required testing. It is important to check to see that scheduling and test method stipulations are acceptable for both.

**Tip #3:**  
Regulations are difficult to read and comprehend! Keep a cheat sheet that specifies equipment type, dates of installation, source type (major, minor, etc.). This will help you identify regulatory paragraphs/sub-paragraphs that actually apply to your facility.

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 **11** MORE TIPS ON REGULATIONS

**Tip #4:**  
Ask how the facility complies with specific regulations. During the inspection verify if the facility follows these practices. This will make it easier to pinpoint anything that seems to be out of compliance.

**Tip #5:**  
For complex regulations, carry a hard copy or an electronic file of the full regulation in the field. If there is any question or disagreement about facility compliance, you will have a reference to check.

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12 **The past is a key to the present.**

Review the facility compliance history:

- Past enforcement actions;
- Past inspection reports;
- Compliance test reports, notifications;
- Permit modifications or equipment changes;
- Compliance orders.

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13 **Branch out from the basic permit.**



Review of additional documents may show other conditions that must be assessed during the onsite inspection such as:

- compliance orders,
- active enforcement documents may have special conditions submitted for consent decrees
- information from other organizations e.g. fire department

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14 **Clean everything possible from reports submitted by the facility before going in the field:**

**Tip #6:**

- Check that recordkeeping and reporting requirements are being met *to the letter*.
- If you identify potential recordkeeping violations, pay special attention to that part of the facility's process, in case there is a more extensive problem.

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Once all background information has been assembled and reviewed **per your agency's inspection guidelines . . .**



15 **Create an inspection plan (written or non-written), and create checklists.**

**Questions:**


- Does your agency have standardized checklists for regulations or permits, or do you create your own, for Title V or NSR permits?
- Does your agency have standard inspection plans?

**Tip #7:**

If your agency allows, fill in parts of checklists confirmed via facility reports **before** going into the field.

This will help you ask questions about potential problems or anything that is unclear to you about the facility process.


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**16** Your final pre-inspection step: Prepare equipment and a safety plan. (Did I say this earlier?)

1. Create a written list of all required equipment and safety gear.
2. Check the status of equipment—functioning, batteries charged, backups, personal gas monitor active?
3. Do you have your PPE ready (e.g., fluorescent vest, safety glasses/goggles, respirator, gloves, etc.)

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**17** Do not assume nothing can go wrong based on past work

**Tip #8:**

- Field conditions can change unexpectedly. Have all items that could be needed—better more than less!
- Clear plan if you encounter unsafe or difficult working conditions (e.g., numbers for supervisor, or other staff at the office to track your whereabouts and well-being.
- Take reasonable onsite safety training/briefing that a facility may require.
- Obey facility staff's safety warnings, but be prepared to exit an unsafe situation *anytime* you recognize a hazard, regardless of what others may do.

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**18** One final slide on inspections and on safety:

It's easy to become complacent! It happens to everyone.

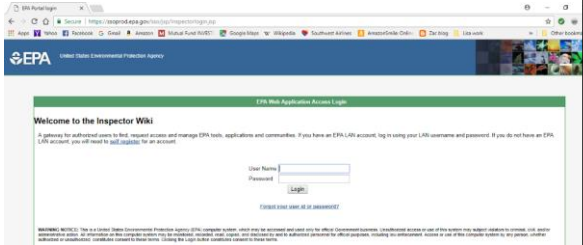
Take time to remind yourself that there is nothing else is as important as your personal safety.



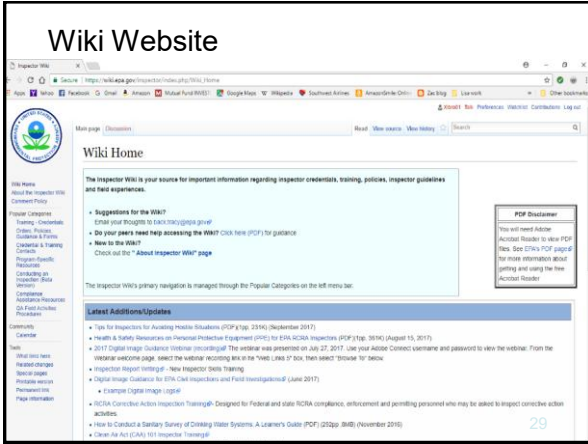
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### EPA Inspector Wiki

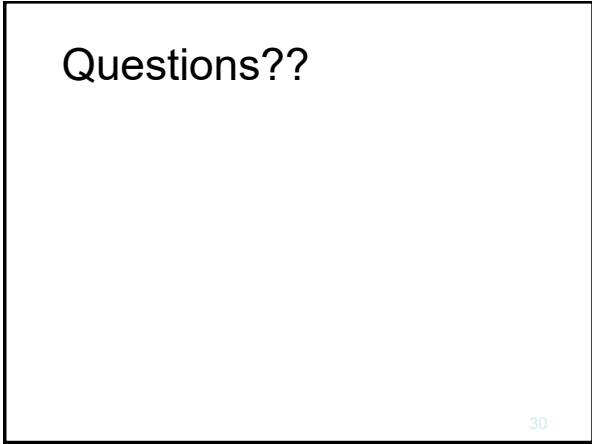
- EPA Inspector Wiki URL <https://inspector.epa.gov>
- Contact EPA staff email to sign up: use Tracy Back (Back.tracy@epa.gov)



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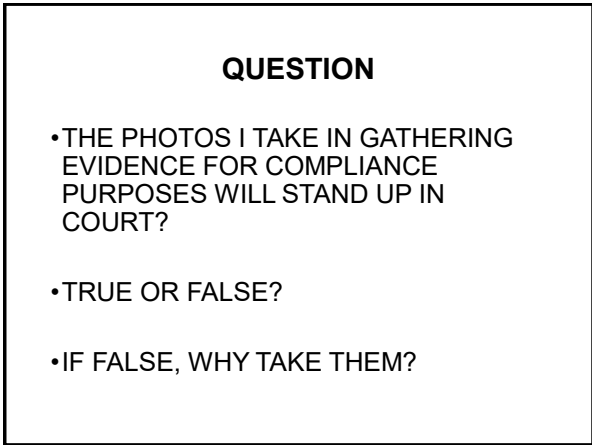
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## Digital Photography

- What are digital images?
  - Digital still images are files that are sampled and bitmapped as a grid of rectangular dots, picture elements (pixels) or points of color.

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## Why is Photography Important?

- Preservation of scene at a particular moment
- Destruction of evidence
- Exposure to elements
- Tells story with photos
- Recreate events
- Evidence in court



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## Admissibility of Evidence

- Is it relevant?
- Can it be authenticated?
  - Fair and accurate representation of what you saw?
- Easily manipulated



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## Digital Cameras

- Point and Shoot?
- Learn how to use the camera
- Read the manual
- Extra battery, memory cards



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## Photography Basics

- Shutter Speed (controls light and motion)
- Aperture (depth of field)
- ISO (formerly film speed)
- Resolution (concentration of pixels)

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## What Should You Photograph?

- **Object-** stack, baghouse, ESP, pipe, monitoring equipment, vehicles, etc...
- **Place-** facility operations and equipment, creek/river/ lake, parking lot, storage areas, office, etc...
- **Event-** inspection, smoke release, complaint, clean-up, etc...
- **Stacks and Fugitive Emissions**



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## More specifically...

- Suspected violation
  - Quantities
  - Chemical labels and placards
- Samples collected, sampling methods
- Exterior of building with company logo
- Air monitoring equipment (gauges, flow charts, meters, etc.)
- Discharges/Emissions



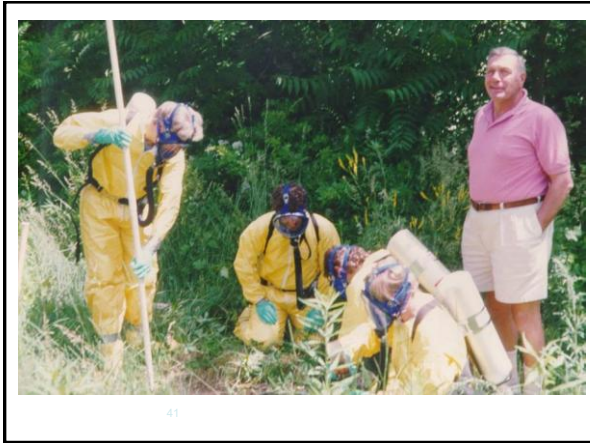
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## What Should You Not Shoot

- Proprietary Operations (if not needed)  
But....
- Other Inspectors
- Government Samplers
- Company Personnel??

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### Approach for Using Photos to Document Violations

- Your photo should tell a story using a systematic progression
  - Establishing shot
  - Subject shot
  - Detail shot

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Which image accurately depicts the scene?

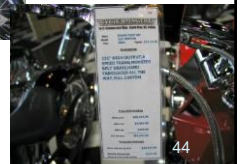


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Establishing shot

Subject shot

Detail shot



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### Perspectives

- **Overall:** Establishes where the violation occurred or where the event took place
- **Intermediate:** Acquires the relationship of the items within the overall scene
- **Close-up:** Documents the individual details of each item

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### Considerations for Close-Up

- Utilize full frame
- Minimize angular distortion
  - 90 degree angle
- Compose item squarely in viewfinder
- Introduce scales and markers
  - Standardized reference points

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### Best Practices

- Setting time/date on camera
  - Date stamp
- Review pictures for clarity/resolution
- Utilize different memory cards
- GPS capabilities
- **NEVER** delete photographs
- Document "as is" before moving anything
- Reformat card between uses

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### US EPA Digital Camera Guidance

- [epa.gov/compliance/guidance-digital-camera-guidance-epa-civil-inspections-and-investigations](https://www.epa.gov/compliance/guidance-digital-camera-guidance-epa-civil-inspections-and-investigations)
- Photo evidence standard
  - Authenticity
  - Relevance

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## Elements of Photo Log

- Photographer Identity
  - Date
  - Time
  - Location
    - Physical address
    - Latitude/Longitude
    - ID numbers
  - Description of photos
- It can be a list of the photos noted in the field notes, a separate photo list, or a separate Photo Log.



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## Elements of Photo Log (cont'd)

- Always write photo log at the site
- Restrict colorful language
- State observations not conclusions
- Exclude extraneous notations
- Eliminate unrelated commentary



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## Preservation of Photos

- Archival copy
- Make a working copy
- Transfer the archival copy



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## Archival Copy

- Write-once media
  - Burn directly from original media
- Don't rename photographs
- Verify contents, file size
- Re-format SD card



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## What does that mean?

Name	Size	Type	Date Modified
IMG_2556.JPG	4,023 KB	JPEG Image	4/24/2004 7:02 AM
IMG_2547.JPG	6,273 KB	JPEG Image	4/24/2004 11:09 AM
IMG_2546.JPG	3,013 KB	JPEG Image	4/24/2004 11:09 AM
IMG_2550.JPG	5,050 KB	JPEG Image	4/24/2004 11:15 AM
IMG_2550.JPG	3,042 KB	JPEG Image	4/24/2004 11:19 AM
IMG_2552.JPG	4,170 KB	JPEG Image	4/24/2004 11:20 AM
IMG_2553.JPG		Image	4/24/2004 11:20 AM
IMG_2554.JPG		Image	4/24/2004 11:21 AM
IMG_2554.JPG		Image	4/24/2004 11:22 AM
IMG_2555.JPG		Image	4/24/2004 11:26 AM
IMG_2555.JPG		Image	4/24/2004 11:30 AM
IMG_2556.JPG		Image	4/24/2004 11:30 AM
IMG_2556.JPG		Image	4/24/2004 11:32 AM
IMG_2557.JPG		Image	4/24/2004 11:33 AM
IMG_2557.JPG		Image	4/24/2004 11:35 AM

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## Best Practices

- Label disk
  - Name of facility/site
  - Date
  - Time
  - MASTER or Archival copy
- Print out photo log and keep together
- Don't write directly on disks

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## Working Copy

- Made directly from SD
- Stored on hard drive or write once media
- Clearly identify as Working Copies
  - Can be renamed
  - Can be paired down
  - Can be processed

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## Take Away Points

- Check date/time before each use
- Create a photo log as you take them
- Preserve original files
- Create archival/master CD for originals
- Establish consistent practices, treat every site the same
- Utilize government-issued equipment
- Take lots of photos
  - No additional cost
  - Value added may be identified after the fact

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### Things to Remember About Photos

- Notify facility personnel of intent to take photos
- Provide copies to facility if requested
  - **Do you give them your camera or sim card? NO**
- Document location and subject of each photo
- Prepare photo log including all photos

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### Questions??

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### PERFORMANCE OBJECTIVE for INTERVIEWING

- Introduction to Basics and Established Principles
- Identify the Five Stages of an Interview
- Recognition of Non-verbal Communications and importance of observations
- Introduction to dealing with Reluctant Individuals

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### BASICS

- What is an interview ?
- A “task” of gathering information?
- A “face to face” discussion between two people directed toward some “specific” purpose?
- A “complex process of dyadic communication” with a predetermined and serious purpose designed to interchange behavior through “asking and answering” questions?
- It is just plain old HARD WORK if done properly
- Interviewing is an “art” not a science
- Good Interviewers have lots of practice, continually hone skills

USEPA-CID: INTRO TO BASIC INTERVIEWING

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**BASICS**

**PLANNING FOR THE INTERVIEW**

- MANY, MANY things to do before asking first question
- Know your own strengths AND weaknesses
- What do you already know ?
- What do want to learn about ?
- Is it something “Nice to Know” ?
  - “New bank opened up down the street”
- Is it something that is “Important” to Know ?
  - “Has my salary been direct deposited to my checking or savings acct at the bank”
- Is it something that is “Essential” to Know ?
  - “Has Somebody been making unauthorized \$ withdrawals from my acct”

USEPA-CID: INTRO TO BASIC INTERVIEWING

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**BASICS**

**PLANNING FOR THE INTERVIEW**


- Plan for Sufficient time without undesirable interruptions
- Determine time for interviews:
  - Announced v. Unannounced
  - During work hours
  - During breaks
  - After hours
- Determine place for interviews:
  - At work station – Noisy v. Quiet, “cubicle farm” v. Conference Room
  - Try for comfortable, quiet, and private area
  - Be aware of physical barriers – Big Desk between = Psychological Security for them
- Determine sequence for interviews: victim, witness, suspect

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**BASICS**

**PLANNING FOR THE INTERVIEW**

- How many will participate ?
- Try to interview only one person at a time
- Don’t “Gang” up - group interviews not optimal
- If more than one will be doing interview, decide upfront who leads, who records



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**THE FIVE STAGES OF AN INTERVIEW**

1. - INTRODUCTION
2. - RAPPORT
3. - QUESTIONING
4. - SUMMARY
5. - CLOSING

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## THE FIVE STAGES OF AN INTERVIEW

### INTRODUCTION

Begin by introducing yourself and others with you -  
 "Good morning, my name is Jim" v. "I'm a federal agent"  
 Show credentials, do in way that isn't threatening -  
 "Look at me here before I lost my hair" v. "This is my Badge"  
 Identify who you are speaking with -  
 "May I call you by your first name" v. "What's your name"  
 Explain purpose of the interview, be clear and truthful - needs  
 to be consistent with questions  
 Honesty - they will know if you're not  
 Integrity - no such thing as "a little bit"; you have it or you  
 don't  
 Sizing up - they're checking out you as much as you're them

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## THE FIVE STAGES OF AN INTERVIEW

### RAPPORT

The first 30 seconds of contact are very critical - First  
 Impression  
 This sets stage for remainder of interview  
 Main function in first few seconds is to motivate person for  
 accurate and free participation  
 Project image they can identify with - must be genuine  
 Comment on topic of apparent interest to them  
 Really listen - show interest and sympathy to their problems  
 Encourage, don't hurry or pressure, keep conversation easy  
 Don't begin with direct tough questions, insinuate guilt (wait  
 till later part of interview)  
 Re-establish rapport later if person appears to become uneasy

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## THE FIVE STAGES OF AN INTERVIEW

### QUESTIONING

This should be the most challenging part of an interview  
 Remember, above all else, you are seeking the truth  
 There are a numerous ways and techniques  
 Bottom line - trying to get all 6 Ws:

WHO  
 WHAT  
 WHERE  
 WHEN  
 WHY  
 HOW

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## THE FIVE STAGES OF AN INTERVIEW

### QUESTIONING

The Typical Four Stage Process with Interviewing People:

Ask a question

Receive an Answer

Evaluate the Response (truth/consistency)

Write Down the Response

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## THE FIVE STAGES OF AN INTERVIEW

### QUESTIONING

Before any question, remember you must LISTEN attentively  
Be prepared to concentrate on their response  
Questions should be:

In conversational manner  
Familiar terms that person can understand  
Clear and Concise  
Simple and addressed to one topic  
Contain soft words, not "fighting" words  
Go from general to specific

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## THE FIVE STAGES OF AN INTERVIEW

### QUESTIONING

Types of questioning to use:

Open ended

"the 6 Ws" – Tell me how, Tell me why, Tell me where, etc  
Tends to allow person being interviewed feel "in control"  
Tends to generate more complete responses  
Allows for logical progression

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## THE FIVE STAGES OF AN INTERVIEW

### QUESTIONING

Types of questioning to use:

Close ended

"Did you see it" – saves time, and is directed to exact detail  
Usually results in "yes/no", "don't know" answer  
Puts more strain on you it, must work harder with follow ups  
Offering of less details, but most people find it very difficult to  
tell outright lie  
Need to be observant, man inhibit rapport

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## THE FIVE STAGES OF AN INTERVIEW

### QUESTIONING

Types of questioning to use:

Empathy

Ask questions by building rapport to express sympathy :

Then follow up with question :

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## THE FIVE STAGES OF AN INTERVIEW

### QUESTIONING

Types of questioning to use:

#### Opinion

Although you are trying to collect facts,  
Wealth of information may be found if you ask opinions

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## THE FIVE STAGES OF AN INTERVIEW

### QUESTIONING

Types of questioning to use:

#### Backward Reaching

Start with known answers, then reach “backwards”  
Mentally reach backward and frame question as logical  
continuation of facts previously related

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## THE FIVE STAGES OF AN INTERVIEW

### QUESTIONING

AVOID questions that are :

#### Leading

“You saw a truck take away those 20 drums, was it a blue  
truck?”

**Instead:** “**Did you see a truck come here**”, wait for  
response, then “**What did it do**”, wait for response, then  
“**what color was it**”

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## THE FIVE STAGES OF AN INTERVIEW

### QUESTIONING

AVOID questions that are :

#### Negatively phrased

“You don’t know the name of the of the guy who took the  
drums away, do you?”

**Instead:** “**Do you know who took the drums away**”, wait for  
response, then “**What was his/her name**”

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## THE FIVE STAGES OF AN INTERVIEW

### QUESTIONING

AVOID questions that are :

**Compound**

“Of all the drums present I know there were a number of drums in the inventory that weren’t labeled, so how many unlabeled drums, and what color were they, that were put on the truck ?

**Instead:** “How many drums were in the storage area”, wait for response, then “How many had no labeling”, wait for response, then “Which ones were put on the truck”

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## THE FIVE STAGES OF AN INTERVIEW

### QUESTIONING

AVOID questions that are :

**Complex**

“Based upon your prior knowledge of the circumstances leading up to the removal of the un-manifested drums and the reactions of others indicated by their story, what would have been the driver’s actions throughout period after he arrived ?

**Instead:** “Do you know what the driver did when he came here”, wait for response, then “How do you know that”

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## THE FIVE STAGES OF AN INTERVIEW

### QUESTIONING

The most common mistakes :

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## THE FIVE STAGES OF AN INTERVIEW

### QUESTIONING

#### LISTENING IS **HARD WORK**

Most people don’t give it their best effort

Clear your mind of other matters

Focus on the person you are talking to

Don’t let your mind wander away in order to plan next question

Get rid of distractions, don’t give up because of your agenda

Remain Neutral – Don’t make assumptions

Don’t argue mentally – Give them a fair chance

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## THE FIVE STAGES OF AN INTERVIEW

### SUMMARY

This phase of interview allows you to be sure you have all the information correct

Summarize information by stating details in proper sequence

Periodically ask interviewee to verify correctness of your interpretation

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## THE FIVE STAGES OF AN INTERVIEW

### SUMMARY

Seek clarification, ask if they feel you covered everything

Go over your notes – correct any discrepancies

Re-establish rapport later if person appears to become uneasy

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## THE FIVE STAGES OF AN INTERVIEW

### CLOSING

This is a continuation of rapport phase

Courtesy ensures door is left open for future contact

Thank them for their cooperation, or Express empathy for their lack of cooperation

Be sure to communicate how they can get in touch with you if they want to share more

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## NON-VERBAL COMMUNICATION

Non-Verbal Communication always takes place – both you and them

When evaluating them, don't rely on single observation

Need to assess overall behavior

Body movement will agree or contradict verbal communication

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## NON-VERBAL COMMUNICATION

Eye movement – excessive blinking, change in pupil size,  
gazing v. staring

The “Space”/proximity – be aware of physical distance

Intimate, personal, social, public zones

Touch – is there a reason to touch? Can be instrumental in calming  
distraught person, but can be misused and dangerous

Touch violates personal space

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## DEALING WITH RELUCTANCE

Is this person being difficult, or is there a miscommunication?

Cultural differences could be interpreted wrongly

Biased perception before your first encounter

Interpretation issue – “M v. F”

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## DEALING WITH RELUCTANCE

Resistance is “normal” in America – July 04, 1776

People who you think are being resistant may not be purposefully  
trying to be difficult

Victims fear revenge or reliving of traumatic experience

Suspects fear embarrassment at being caught or punishment

Witnesses may be resentful of previous encounter and reluctant to  
be involved

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## DEALING WITH RELUCTANCE

Accept the Resistance, don’t counter “Go along with it”

Imperative to de-escalate, NEVER ESCALATE

Don’t make it worse – walk away

Attempt to deal with situation with Conciliation and Friendliness

Remain Calm, Kind, but Firm

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## DEALING WITH RELUCTANCE

Show Acceptance

“It is clear to me that you are very angry/frustrated/nervous about this. I can imagine that if I were in your shoes I would feel the same way”

“I can see you are very concerned about this, I am too”

IT IS CRITICAL TO ESTABLISH RAPPORT WITH  
RELUCTANT INDIVIDUALS

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## DEALING WITH RELUCTANCE

Need to be genuine and not phony

Must come across as decent, fair, and easy to talk to

Try to “Join into the model of their world”

Validate their concerns, address their beliefs in a positive manner

People like and trust other people WHO ARE LIKE THEMSELF

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## “CLICKER” SLIDE

- Have you picked up any new insight (Y/N)
- Would an advanced interviewing block of instruction be beneficial to you (Y/N)

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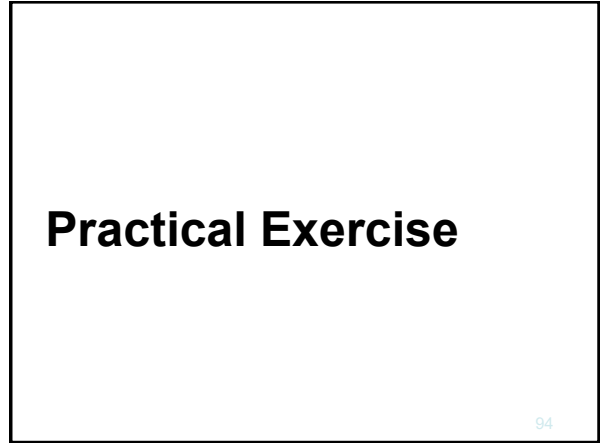
## IN SUMMARY

- Remember – you, the interviewer is responsible for a successful interview or the failure
- Always be professional
- Always be willing to seek the truth – Don’t just be information collector/recorder

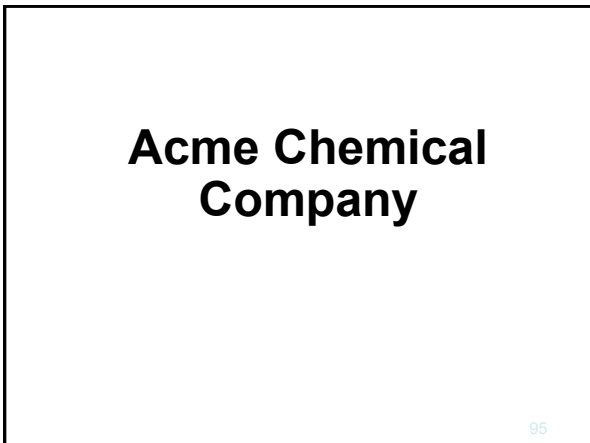
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The Practical Exercise Scenario



- Acme Chemical Company (ACC) produces pesticides
- ACC has all required permits from the Commission on Environmental Protection (CEP)

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## The Practical Exercise

- The CEP receives an anonymous tip reporting that asbestos demolition had been occurring.
- CEP decides to conduct an unannounced inspection of the ACC plant
- Closely review the Facility Background sheet to learn what happened during the inspection

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## Today's activities

- The class will be divided into inspection teams that will each independently investigate the anonymous tip.
- Each team will investigate a disposal site, take both pictures and samples, interview a plant manager and a gate guard, take notes, and prepare an inspection report.

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## Each group needs

- Laptop with thumb drive
- Camera or phone to upload photos to the laptop for the inspection report, then to the thumb drive
- Sampling kit: procedures, sampling spoon and containers, labels, gloves, scotch tape, and scissors)
- Tyvek suit
- Duct tape for wrists and feet
- Evidence locker/chain of custody

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## Prepare for exercise before lunch

- Determine team roles
- Review background materials, sample procedures, asbestos description & regulations
- Prepare for:
  - interview of Gate Guard
  - interview of Plant Manager
  - taking samples (PPE provided)

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100

### Each Groups Needs

- Team Leader
- Interviewers (at least two). **All team members must be present to observe the interviews.**
- Sampler
- Photographer
- Note Taker
- Entire team **MUST** work together to prepare the inspection report

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101

### By the end of today

- Complete two interviews
- Take photos
- Complete sampling
- Prepare and complete inspection report
- Hand in your evidence locker with all documents and the thumb drive (report should be on the thumb drive)

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### Tomorrow

- The class will review and provide feedback on the interviews and sampling activity, and
- Each inspection report will be presented and discussed with the class

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