



United States Environmental Protection Agency

# EPA National Compliance Initiative: Reducing the Rate of Significant Noncompliance with Clean Water Act NPDES Permits

Federal Environmental  
Symposium 2019

1

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# Topics Covered

- Background on EPA's National Compliance Initiatives
- Reducing the Rate of NPDES SNC
  - Objectives/Goals/Organization
  - State Engagement
  - ECHO/Dashboard/Current SNC Rates
  - Work Underway
- Key Take-Away Points
- Questions

## EPA's National Compliance Initiatives (NCIs)

- On June 7, 2019 EPA announced its six (6) NCIs for FY2020-2023 cycle
- NCIs focus enforcement and compliance assurance resources on most serious environmental noncompliance
- Implementation using full range of compliance assurance tools
- Working with states to develop and implement NCIs

# Reducing the Rate of SNC at NPDES Permitted Facilities

- **Goal:** 1) Reduce by half the national SNC baseline rate of 29.4% by the end of FY 2022, AND 2) Assure that the worst SNC violators are timely and appropriately addressed
- **Important Notes:** For purposes of this NCI, “SNC” means:
  - “Category 1 noncompliance” (as defined in EPA’s regulations), including effluent, reporting, and schedule violation SNC
  - Both major and minor NPDES permitted facilities
  - Individually permitted facilities ONLY (no general permits)

## Reducing the Rate of SNC at NPDES Permitted Facilities Continued

- Over 40,000 major and minor individually permitted facilities across the country, and over 24% are in SNC with their permits
- Approximately 650 federal facilities with individual NPDES permits, and over 16% are in SNC with their permits
- In FY 2018, the approximately 11,000 permittees that had SNC-level violations discharged almost four billion pounds of pollutants above their permitted limits

## How is the NPDES SNC NCI Organized and Who Participates?

- EPA Steering Committee
- EPA/state SNC NCI Workgroup
- Four EPA/State SNC NCI Sub-Groups:
  - Communication, Policy, Outreach
  - Data Quality, Data Completeness, and DMR Non-Receipt SNC
  - Preventing and Deterring Effluent SNC
  - Federal Facilities



# Reducing the NPDES SNC Rate is a Joint EPA-State Goal

- Authorized states are the primary implementers of the NPDES program, and are critical players in the success of this effort
- States are helping develop and implement tools and approaches for increasing compliance in the NPDES program
- In states where EPA directly implements, including where EPA has the program only for federal facilities, EPA will increase efforts to reduce the rate of SNC

# Available Tools to Identify/Review SNC

**ECHO** Enforcement and Compliance History Online

Welcome jyourish [Log Out](#)  
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**Analyze Trends**

**Track Performance**

- State Dashboards - Air
- State Dashboards - Haz. Waste
- State Dashboards - Water
- State Dashboards - Pesticides
- Drinking Water Dashboard
- National Enforcement Initiatives
- NPDES eRule Readiness Dashboard
- NPDES DMR Non-Receipt Status
- [Search](#)

**Examine Pollution Sources**

- [Water Pollutant Loading Tool](#)
- [Clean Air Tracking Tool \(ECATT\)](#)

**Review Reports**

- [Water Annual Reports](#)
- [State Review Framework \(SRF\)](#)
- [SRF Recommendations](#)
- [Watch List](#)
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**ECHO Gov**

**Targeting**

- [Clean Water Act Inspection Targeting Model](#)
- [Drinking Water Enforcement Targeting Tool](#)
- [Data Analytics](#)
- [Water Quality Indicators Map](#)
- [Clean Air Tracking Tool \(ECATT\)](#)
- [NPDES Enforcement Framework](#)
- [EPA Targeting Maps](#)
- [Knowledge Bases](#)
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**Oversight**

Access through the “Data Visualization Gallery”

<https://echo.epa.gov/>

## Data Visualization Gallery

ECHO has added the power of Qlik analytics to its suite of tools, making compliance-related data sets easier to explore. [EPA HQ and Regions](#) can also submit their own compliance-related data visualization projects to ECHO Gov.

This page provides links to information maintained and displayed outside of ECHO. Clicking links may take you away from the ECHO website. Use the Provide Feedback link to submit questions about products displayed on this page.

**Media** **Owner Affiliation**

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**General Permit Dashboard – NPDES eRule Phase 2 Implementation** ★

This General Permit Dashboard is intended to provide National Pollutant Discharge Elimination System (NPDES) authorized programs information on NPDES ... [Read more detail](#)

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Media: Water  
 Owner Affiliation: Headquarters  
 Keywords: NPDES, General Permit, Electro...

**CWA NPDES SNC + Category 1 Violations (by rolling year)** ★

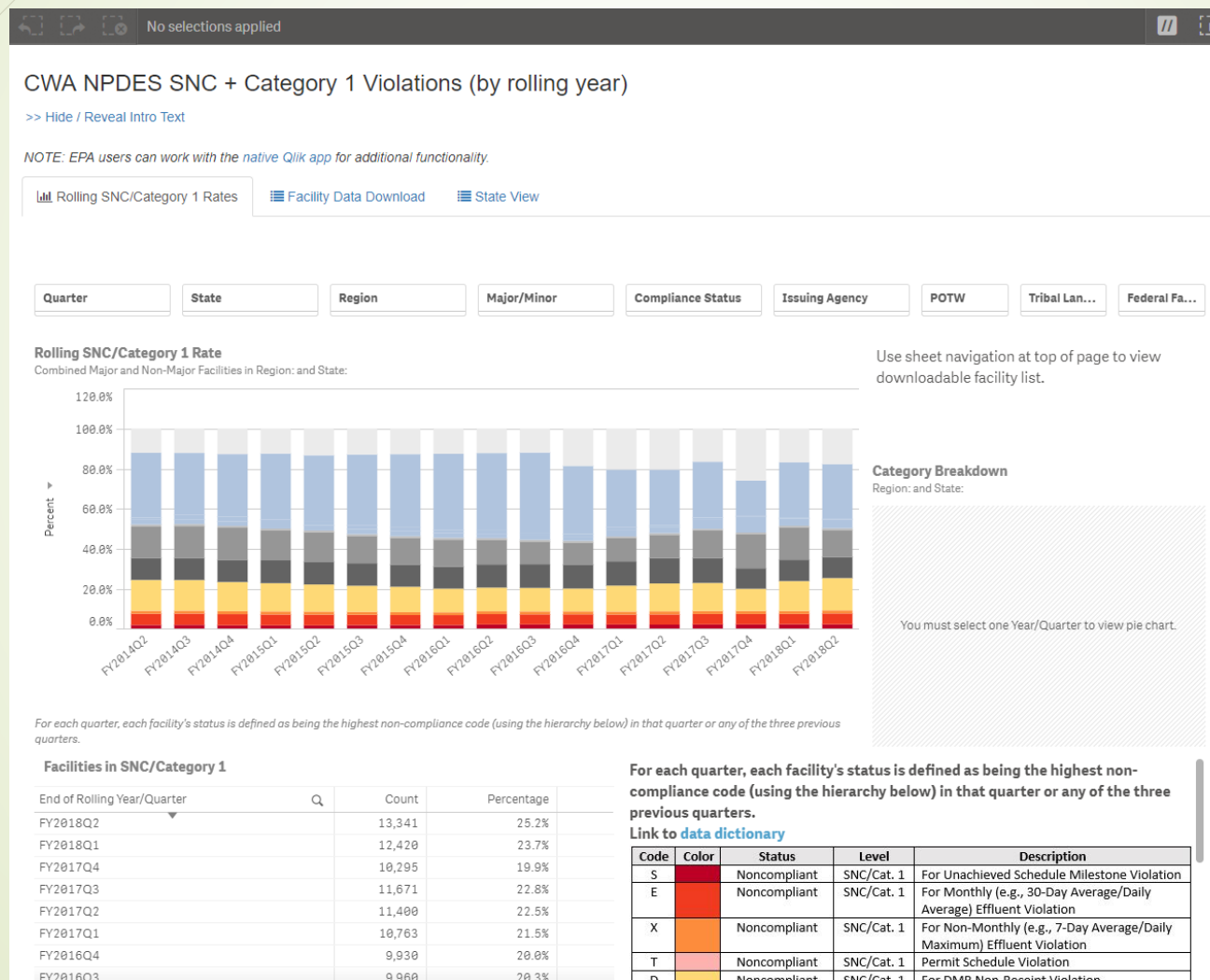
OECA is using this dashboard to track progress in meeting targets for reducing the SNC rate pursuant to OECA's related Agency Priority Goal (APG) metr... [Read more detail](#)

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Media: Water  
 Owner Affiliation: Headquarters  
 Keywords: NPDES, CWA, effluent, violatio...



# ECHO's NPDES SNC Dashboard



# Decoding the Dashboard

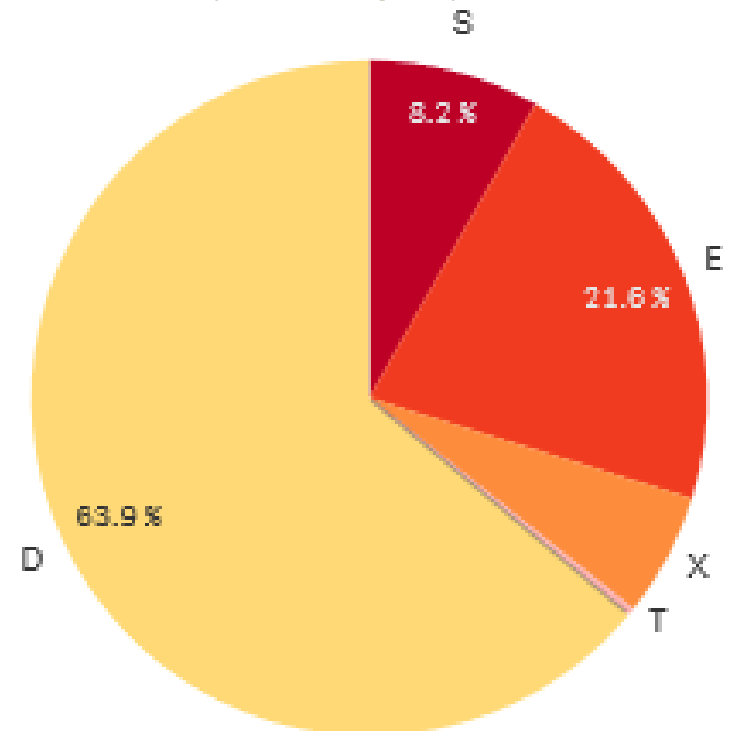
D = DMR Non-Receipt Violation SNC (63.9%)

E + X = Effluent Violation SNC (27.5%)

S + T = Schedule Violation SNC (8.5%)

Code	Color	Status	Level	Description
S		Noncompliant	SNC/Cat. 1	For Unachieved Schedule Milestone Violation
E		Noncompliant	SNC/Cat. 1	For Monthly (e.g., 30-Day Average/Daily Average) Effluent Violation
X		Noncompliant	SNC/Cat. 1	For Non-Monthly (e.g., 7-Day Average/Daily Maximum) Effluent Violation
T		Noncompliant	SNC/Cat. 1	Permit Schedule Violation
D		Noncompliant	SNC/Cat. 1	For DMR Non-Receipt Violation
N		Noncompliant	RNC	For All Non-SNC/Cat. 1 Violation
V		Noncompliant	N/A	Non-RNC Violations in the Quarter
P		Resolved Pending	N/A	Final Resolution Pending Compliance with Formal Enforcement Action Final Order
R		Resolved	N/A	Final Resolution of Violation
C		Compliant	N/A	Not Automatically Generated, Used for Manual Overrides
Blank		Null in ICIS-NPDES "No Viol" in ECHO	N/A	Not Considered in Violation (including RNC or SNC/Cat. 1)
U		Unknown	N/A	Unknown Compliance Status

NPDES SNC by Category



# Overall NCI NPDES SNC Rate - 4-Quarter Rolling Rate

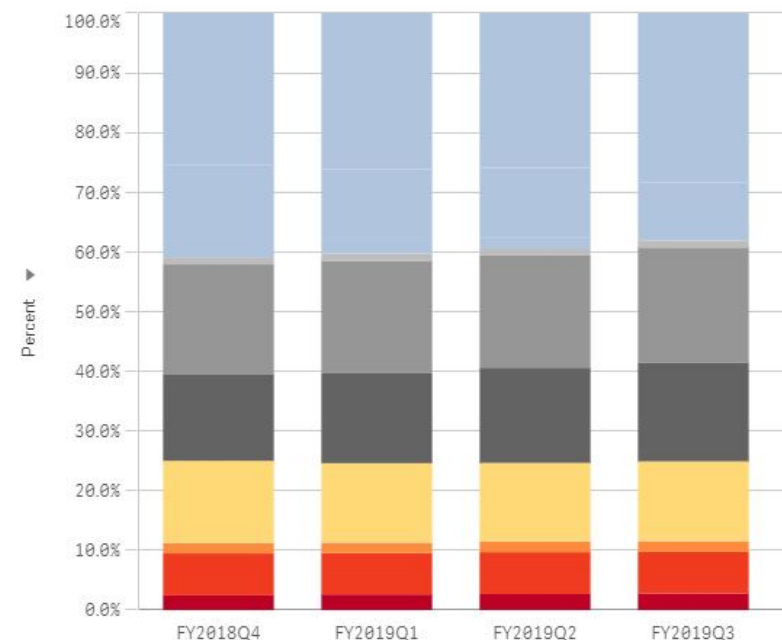
**Progress Toward Goal:** NPDES SNC rate has declined from 29% (when measured in 2017) to 24.9% now

Facilities with SNC/Category 1 Noncompliance

Last Quarter in Rolling Year	Q	Facilities with SNC	Total Facilities	Percentage
FY2019Q3	▼	10,114	40,599	24.9%
FY2019Q2		9,986	40,493	24.7%
FY2019Q1		9,932	40,359	24.6%
FY2018Q4		10,080	40,330	25.0%

Rolling Year SNC/Category 1 Rate

Individually Permitted Major and Non-Major Facilities



# Federal Facilities NPDES SNC Rate - 4-Quarter Rolling Rate

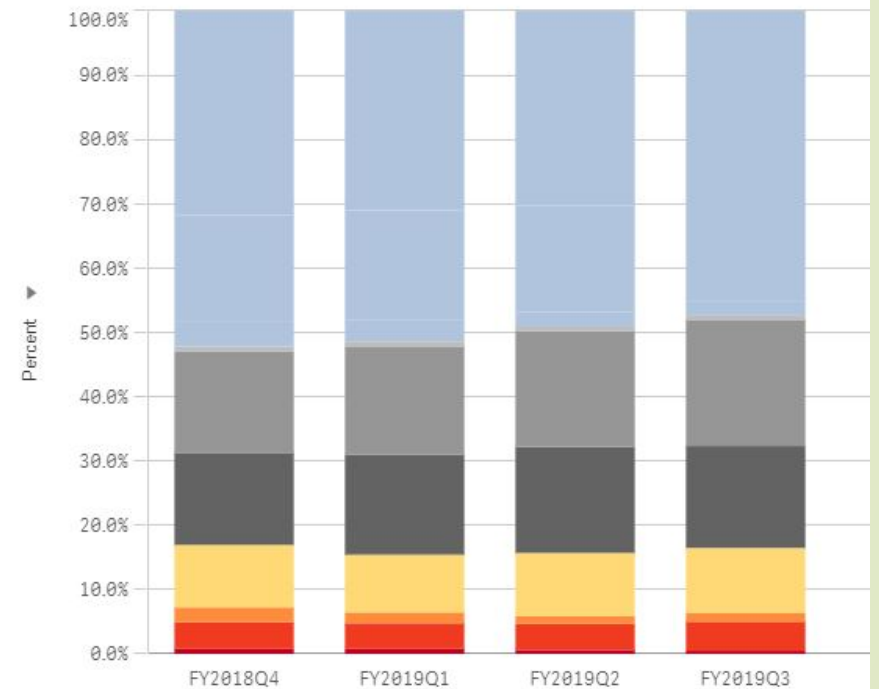
**Progress Toward Goal:** NPDES SNC rate has declined from a FF baseline rate of 23.59% to 16.5% now

Facilities with SNC/Category 1 Noncompliance

Last Quarter in Rolling Year	Facilities with SNC	Total Facilities	Percentage
FY2019Q3	105	637	16.5%
FY2019Q2	101	643	15.7%
FY2019Q1	100	648	15.4%
FY2018Q4	110	649	16.9%

Rolling Year SNC/Category 1 Rate

Individually Permitted Major and Non-Major Facilities



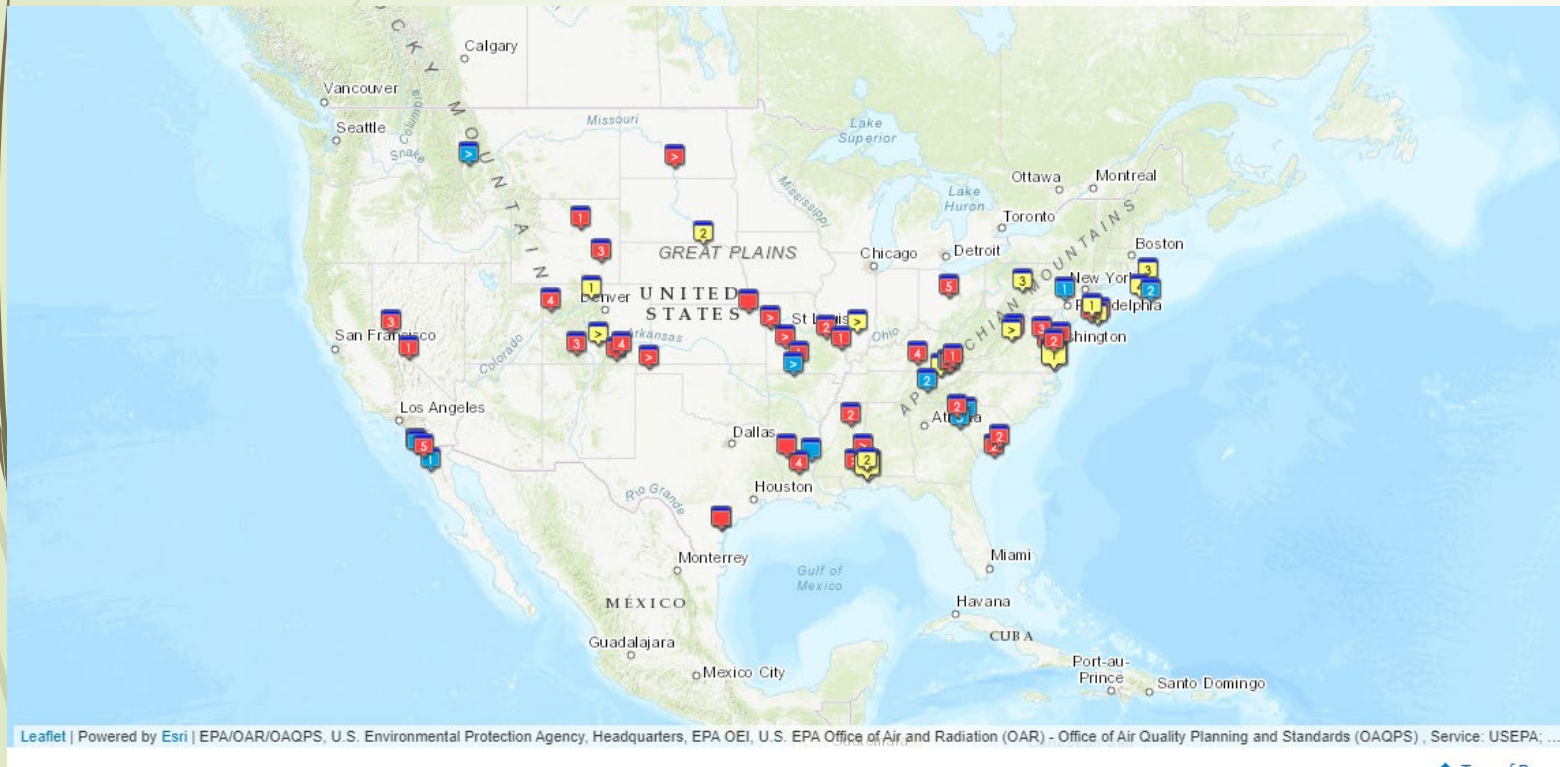


# Federal Facility NPDES Effluent SNC in the Past 4 Quarters



- 37 federal facility NPDES permittees had SNC level effluent exceedances over past 4 quarters
- One component of the effort to reduce SNC will be to identify and address the most serious SNC violators

# Federal Facilities NPDES Reporting SNC in the Past 4 Quarters



- 65 NPDES permittees had missing DMRs over past 4 quarters
- Largest component of overall SNC rate (64%)
- Includes:
  - True permittee non-submittal; and
  - *Incomplete DMR data transferred from states*



## Work Underway to Reduce SNC Rate

- Continue EPA-state quarterly meetings to discuss SNC rate, root causes, and strategies to reduce SNC rate
- Identify most serious SNC violators and how EPA or states will address, including enforcement
- Improve data completeness and accuracy
- Share best practices for addressing SNC
- Deliver compliance alerts and webinars to the regulated community

## Work Underway to Reduce SNC Rate at Federal Facilities

- Engage with Federal Agency HQs to discuss facilities in SNC and how to address noncompliance
- Evaluate federal facilities in SNC every 6 months, identify recurring facilities, and reengage Federal Agencies as appropriate
- Address data issues, as well as specific federal facilities in SNC
- Develop compliance bulletins for federal facilities and post to [FedCenter.gov](https://www.fedcenter.gov)

## Key Take-Away Points

- Explore and use ECHO Tools
- Check your facility's compliance status frequently
- If you suspect a data error:
  - Work with permitting authority to resolve
  - Report on ECHO
- Compliance assistance is a big part of this NCI - reach out to EPA/states for help

# Questions?

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