

NPDES Permit Quality Reviews (PQRs)

November 2017



NPDES PQRs

Agenda

- Why do PQRs?
- What are PQRs?
- Who participates in PQRs?
- How is the PQR process managed?
- Trends

Why do PQRs?

- Foster state/regional communication and program implementation partnerships.
- Systematic check of foundations of state- and EPA-implemented NPDES programs.
- Promote program and permit improvements.
- Provide national perspective of different parts of the NPDES program.

What are PQRs?

- Review of NPDES program implementation on a 5-year cycle
- PQR Components:
 - NPDES Program Review
 - NPDES “Core” Permit Review
 - National Topics
 - Regional Topics
 - PQR Reports

NPDES Program Review

- Covers:
 - Procedures
 - Permit issuance
 - Program structure
 - Challenges and initiatives
- Process:
 - Preliminary background questions supplied and answered prior to on-site visit
 - Initial interview during state visit using standard questions
- New: Status of Action Items from last PQR

NPDES “Core” Permit Review

- Covers:
 - Components of individual permits common to most permits
 - Primary focus is compliance with federal regulations
 - Permit content, development, and administrative process
- Process:
 - Permit selection based on standard criteria – 10 minimum
 - Desktop review using standard checklist
 - Review of administrative record during on-site visit
 - Clarifications from State permit writers on-site, as needed
- New: updated checklist

National Topics

- Covers:
 - Program implementation and permit components for selected topics.
 - FY12-17 cycle topics: nutrients, pesticides, pretreatment, and stormwater
- Process:
 - Program information gathered from state
 - Desktop review using standard checklist and procedures
- New: Three focused national topics
 - Permit controls for nutrients in non-TMDL waters
 - Effectiveness of POTW permits with food processor contributions
 - Small MS4 permit requirements

Regionally-Selected Topics

- Covers:
 - Selected by Region individually for each state (e.g., CAFOS, mining) depending on regional priorities.
- Process:
 - No standard review tools
- New: Three focused national topics; optional regionally-selected topics.

PQR Reports

- Cover:
 - Documentation of PQR
 - Action items for addressing program deficiencies
 - Acknowledge program initiatives and strengths
- Process:
 - Exit meeting held at conclusion of on-site visit to discuss initial findings with state
 - Template used to present findings
 - States have opportunity to review draft reports
 - highest-level action items are tracked for resolution
 - Once final, reports posted on EPA's website.

New: revised report format to improve readability

Who Participates in PQRs?

- States
 - Provide files and program information; host EPA review teams; review reports for factual errors.
- EPA Regions
 - Lead PQRs for authorized programs
 - Write PQR reports for authorized programs
- EPA Headquarters
 - Reviews programs implemented by EPA Regions
 - EPA HQ reviews pretreatment in states that have general program authorization but where EPA implements the pretreatment program
 - Manages process and assists Regions with reviews
 - Reviews reports before finalization

Frequent Findings from FY12-FY17 Cycle

- Applications
 - Applications sometimes submitted late without documentation that Director had approved an extension
 - Many were not technically complete.
- Standard Conditions
 - Some standard conditions were not as stringent as those in 122.41 and 122.42; some standard conditions were missing.
- Documentation
 - Many opportunities to improve limit documentation and antibacksliding/antidegradation analyses.
- Compliance Schedules – documentation and justification

Innovative State Initiatives Observed in FY12-FY17 Cycle

- Online public notice for draft permits.
- Significant increase in the number of states that provide online public access for permit records.
- Efficient and effective use of permit and fact sheet templates.
- Watershed-based permitting.
- Tracking TMDL implementation in permits.

PQR Resources

- PQR Leads:
 - Erin Flannery-Keith (flannery-keith.erin@epa.gov)
 - Beth Ragnauth (ragnauth.Elizabeth@epa.gov)
- PQR information: <https://www.epa.gov/npdes/npdes-program-management-and-oversight#pqr>
- PQR Procedures and Tools: <https://www.epa.gov/npdes/npdes-permit-quality-review-standard-operating-procedures>
- PQR final reports: <https://www.epa.gov/npdes/regional-and-state-npdes-pqr-reports>