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Symposium Preliminaries

DAN PALMER, BETH RAGNAUTH - EPA OFFICE OF COMPLIANCE

JOE THEIS - EPA OFFICE OF CIVIL ENFORCEMENT

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Symposium Preliminaries

Session Objectives:

- Current status of our effort to reduce the rate of SNC
- What is an NCI?
- Quick Review of the Symposium Agenda
- Objectives and products from this Symposium?
- Quick review of SNC NCI activities planned for FY 2020



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SNC Rate – Where are We?

- Beth Ragnauth (Chair, DQ and DMR)
 - Current SNC rate, progress in FY 2019
 - Analysis of SNC rate



NPDES SNC Rate

Beth Ragnauth

U.S. EPA | OECA | Office of Compliance | Planning, Measures and
Oversight Division

January 2020

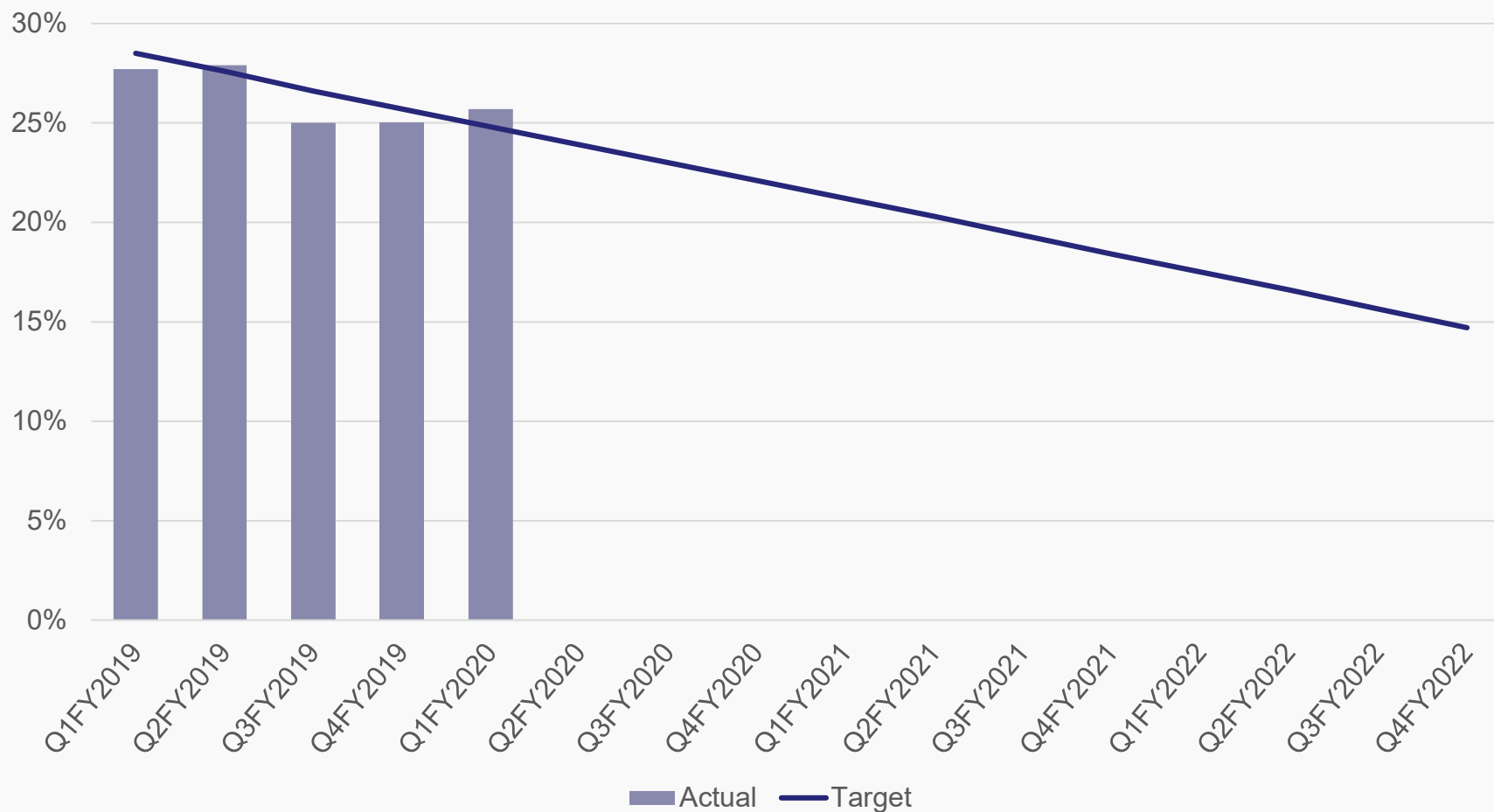


Calculating the SNC Rate

- Individual permits only, majors + minors
- Exclude permits without limits or tracking off
- SNC criteria applied to majors + minors
- Quarterly assessment, one-quarter data lag
- If permittees meet multiple SNC criteria categories, only highest is represented
- More details in ECHOGov CWA NPDES SNC dashboard intro and FAQ



Rolling 4-quarter SNC Rate by Reporting Quarter



Data from SNC dashboard as of official QNCR date for the prior quarter's data

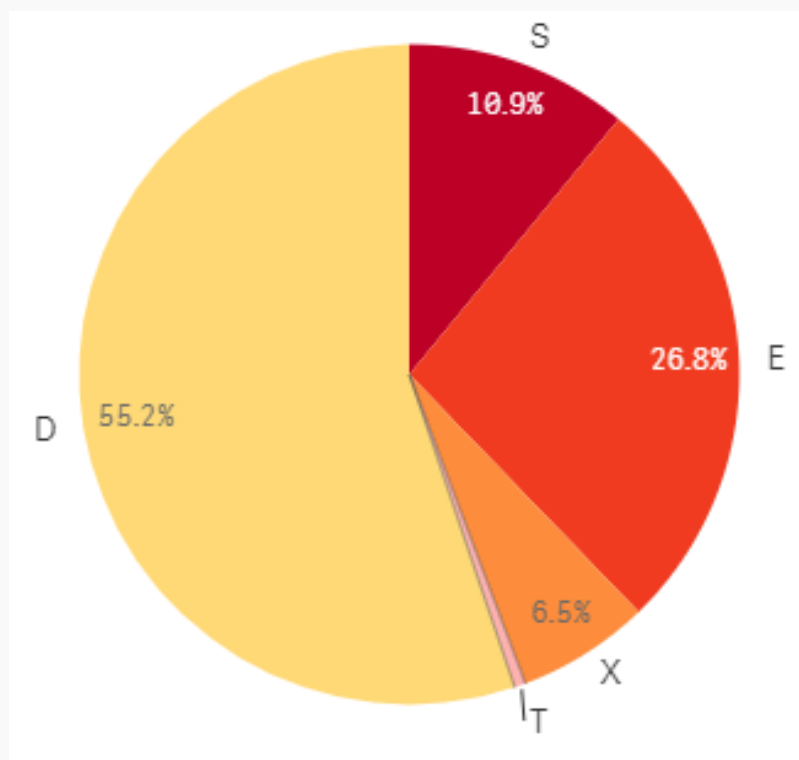


SNC Rate Dashboard Legend

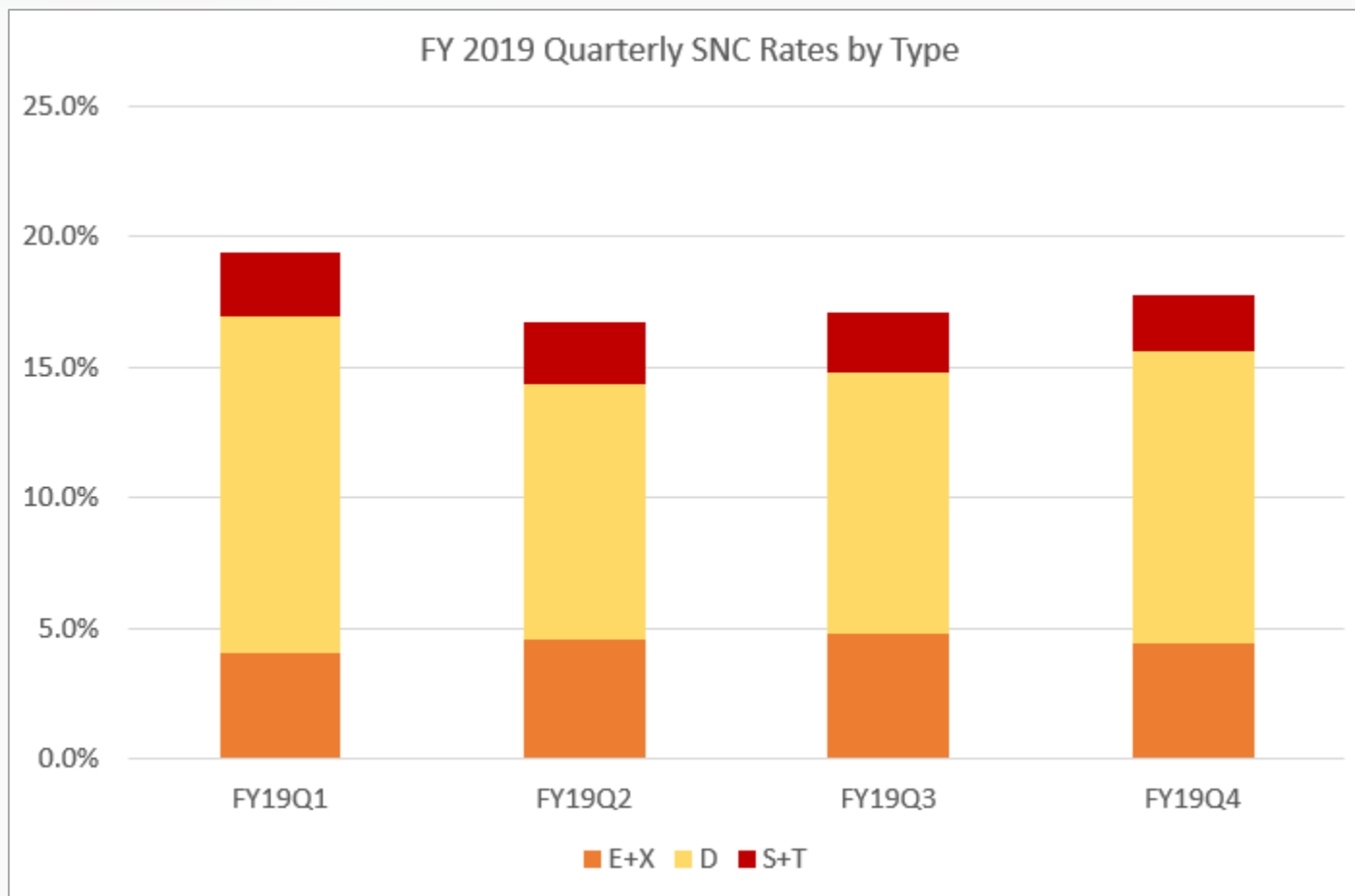
Code	Status	Level	Description
S	Noncompliant	SNC/Cat. 1	Enforcement action or permit compliance schedule event violation - more than 90 days late
E	Noncompliant	SNC/Cat. 1	Effluent violations of monthly average limits
X	Noncompliant	SNC/Cat. 1	Effluent violations of non-monthly average limits
T	Noncompliant	SNC/Cat. 1	Enforcement action or permit compliance report violation > 30 days late
D	Noncompliant	SNC/Cat. 1	Reporting violation - non-receipt of DMR
N	Noncompliant	RNC	Reportable noncompliance
V	Noncompliant	N/A	The facility has an effluent, DMR non-receipt, compliance schedule, permit schedule, or single-event violation but is not considered to be RNC or SNC.
Q	Resolved Pending	N/A	Manually entered
P	Resolved Pending	N/A	An enforcement action has been issued, and facility compliance with the action is pending completion.
R	Resolved	N/A	The facility has returned to compliance with its permit conditions, either with or without issuance of an enforcement action.
C	Compliant	N/A	A compliance code that is either a manual override or automatically generated when corrected RNC is run.
Blank	Null	N/A	Not considered in violation (including RNC or SNC/Cat. 1)



Characterizing SNC



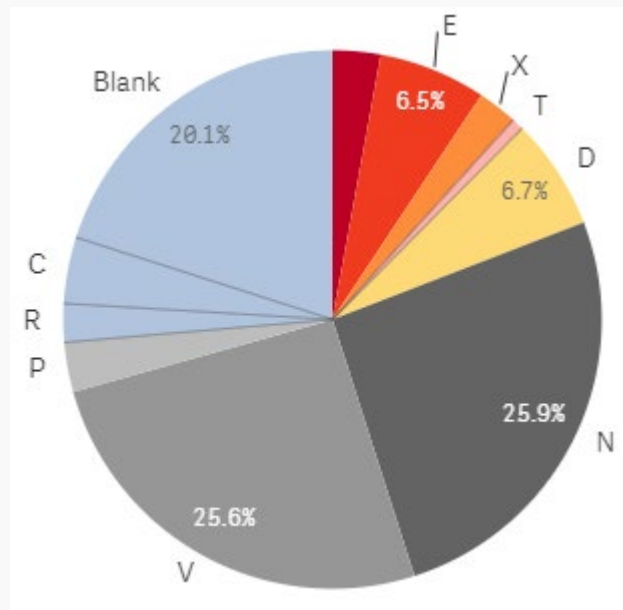
Rolling 4-quarter national (FY19Q4) SNC rate data from SNC dashboard 1/16/20



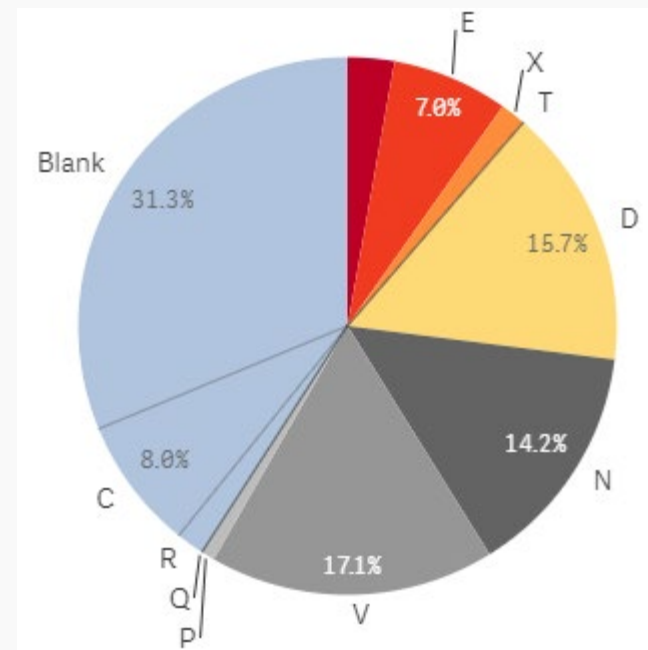
Data from SNC dashboard as of official QNCR date for that quarter's data



Majors, SNC rate = 19%



Minors, SNC rate = 27%



Rolling 4-quarter national (FY19Q4) SNC rate data from SNC dashboard 1/16/20

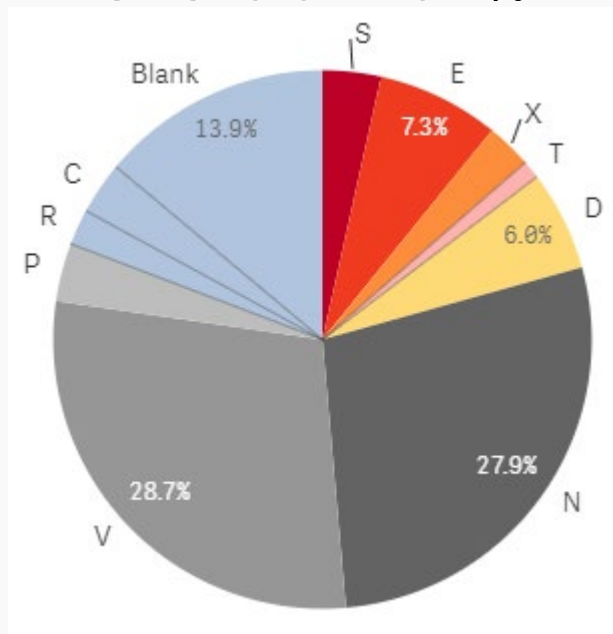


POTWs

34% of universe, higher SNC rate (28%)

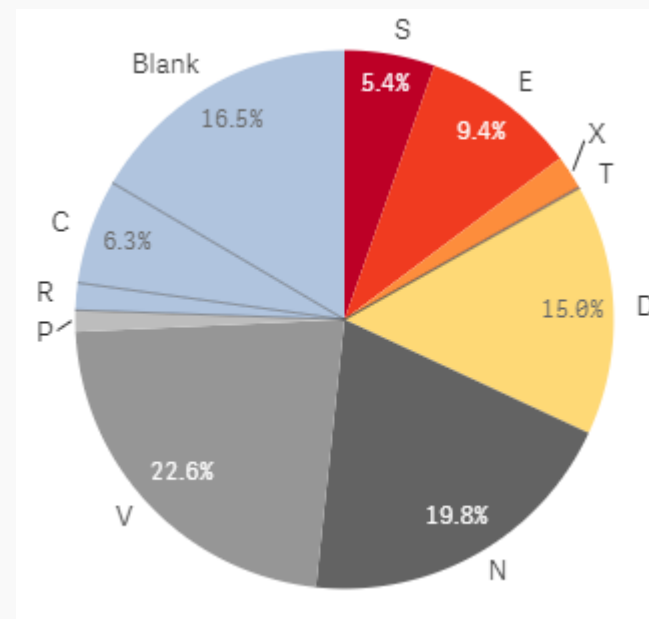
Major POTWs

SNC rate = 20.7%



Minor POTWs

SNC rate = 31.9%



Rolling 4-quarter national (FY19Q4) SNC rate data from SNC dashboard 1/16/20



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What is a National Compliance Initiative?

EPA transition from National Enforcement Initiatives (NEIs) to *National Compliance Initiatives (NCIs)* involved four significant adjustments:

- (1) Modifying selection criteria to better align with Agency Strategic Plan measures and priorities;
- (2) Engaging more fully with states and tribes in the selection and development of the initiatives;
- (3) Enhancing the EPA's use of the full range of compliance assurance tools in an NCI; and
- (4) Extending the priorities cycle to four years to better align with the Agency's National Program Guide cycle.

Enforcement Role in NCI



- Name change not intended to deemphasize enforcement
- Rather to re-emphasize the use of all available tools to assure compliance
- “Compliance Assurance” Initiative for NPDES Program - not a “compliance assistance” initiative
- Enforcement will continue to play a critical role as part of this Initiative



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Quick Review of the Symposium Agenda - 11 Sessions

1. *Evidence-Based Best Practices for Improving Compliance*
2. *Expanding Use of Notifications for Deterring and Preventing Effluent SNC*
3. *Importance of Enforcement Actions to Achieve the NCI Goals*
4. *Recent EPA SNC NCI Related Guidance*
5. *Improving Compliance at Small POTWs*
6. *Importance of Addressing Data Completeness and Data Quality Issues to Achieve the NCI goals*
7. *EPA Data-Related Projects*
8. *Reducing Federal Facility SNC – Presentation and Discussion*
9. *SNC Electronic Tool Intensives – Training on How to Use the Basic Functions of Two Key SNC Electronic Tools*
10. *Reducing the Rate of True DMR Non-Submittal and Faulty DMR Submission*
11. *Role of EPA and State inspections/inspectors in SNC NCI*

Tools for Reducing SNC – Preventing and Resolving



15 | Pre SNC - Predict/Prevent

In SNC - Identify/Resolve/Deter

Financial Assistance

Compliance/Technical Assistance

Notifications

Informal Enforcement

Formal Enforcement

Data Quality



No violations

Non-SNC violations

SNC violations

Serious SNC violations



Symposium Objectives and Products



- What do we want to accomplish at this Symposium?
 - a. New enthusiasm for reducing SNC!!
 - b. New ideas, new information
 - a. From presentations
 - b. From side-bar conversations!
 - c. New contacts
 - d. **Other?**

Symposium Objectives and Products



- What are the products that we want to generate at this meeting?
 - a. List of new ideas generated for later SNC workgroup exploration
 - b. List of EPA action items – items for action and problems for EPA to work to solve now
 - c. List of items for the parking lot (can't do now or not SNC NCI - but for referral or future consideration
 - d. **Other?**



SNC NCI activities for focus in FY 2020

Priority SNC NCI Activities for Focus in FY 2020



1. SNC NCI Symposium!
2. NCI Implementation Strategy
3. Continuation of NCI Workgroup and Subgroups

SNC NCI Workgroup and Sub-Groups



- **EPA-State SNC NCI Workgroup** (*Chairs Dan Palmer, Joe Theis, Melanie Davenport*) (**SCOTT GORDON RETIRED!**)
 - SNC Effluent Violation Subgroup (*Chairs Seth Heminway and Kathy Greenwald*)
 - Data Sub-subgroup of the Effluent Subgroup (*Chair Rusty Wasem*)
 - Data Quality and DMR Non-Receipt Subgroup (*Chairs Beth Ragnauth and Colleen Rathbone*)
 - SNC Outreach and Communications/Policy Subgroup (*Chairs David Piantanida and Chad Harsh*)
 - SNC NCI “Draft Minors Guidance” Subgroup (*Chair Kathy Greenwald*)
 - SNC NCI Federal Facility Subgroup (*Chair Nicki Freyre*)



Priority SNC NCI activities for focus in FY 2020

3. Implementation of the [EPA/OECA Role of the Regions memo](https://www.epa.gov/enforcement/memo-regional-role-reducing-npdes-rate-significant-noncompliance) (<https://www.epa.gov/enforcement/memo-regional-role-reducing-npdes-rate-significant-noncompliance>). Memo directs the EPA Regions to:
 - a. Hold Region/Authorized State quarterly meetings to discuss:
 - i. State's SNC rate
 - ii. Rate reduction strategies
 - iii. Completeness and accuracy of compliance data
 - iv. High-priority SNCs (see ECHO.GOV SNC Tracker)

Priority SNC NCI activities for focus in FY 2020



Role of the Regions memo continued:

- b. Address compliance data completeness problems with states that have incomplete permit and/or DMR data
- c. Improve SNC Rate where EPA directly implements the NPDES program
 - MA, NH, NM, PR, DC and Pacific Island Territories, Tribes, Federal facilities in some states

Priority SNC NCI activities for focus in FY 2020



4. Improving incomplete permit and DMR data in ICIS
 - Have to fix this problem (where it exists) to achieve the national SNC rate reduction goal
5. Webinars – Education/assistance for regulators and regulatees
 - a. NPDES Technical Assistance – for Small POTWs, DW systems
 - b. Understanding SNC (Policy and ICIS)
 - c. EPA/State Best Practices to Reduce SNC

Priority SNC NCI activities for focus in FY 2020



6. Compliance Advisories – inform regulated community about NCI and compliance assistance opportunities
 - a. General
 - b. Small POTWs
 - c. Federal facilities
 - d. Drinking Water system



Priority SNC NCI activities for focus in FY 2020

7. Rolling Out New SNC Early Warning Dashboard to states
 - a. Powerful tool: predictive capability and SNC drill down capability
 - b. Demo Friday
 - c. More training coming
8. Developing Guidance on Responding to SNC at NPDES minors
 - a. Sub-Workgroup (Kathy Greenwald) in early stages but moving!
 - b. Conceptual proposal due: March 31, Final guidance Sept 30, 2020



Priority SNC NCI activities for focus in FY 2020

9. Other key Data Quality projects:
 - Proposal for how to conduct RNC reruns
 - Handbook for Investigating SNC in Data
 - How to determine why a facility is showing as SNC in ICIS-NPDES
 - Standard practices for manual resolution of DMR non-receipt violations
10. Federal facility compliance notifications to Federal Departments
11. *Symposium III???*