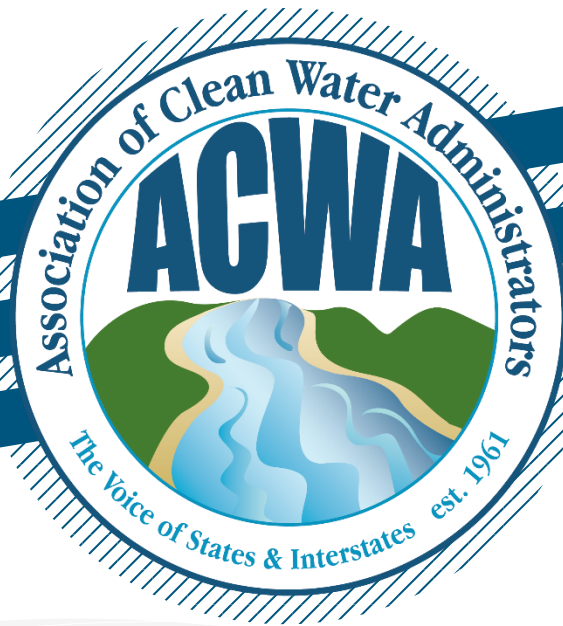


National NPDES Permitting Meeting



Administratively Continued Permits

Overview of Survey

- Result of Congressional Staffers asking Questions about Administratively Continues Permits
- HR1497 – Section 7 – 180 days to finalize or EPA takes over the Permit
- 34 States Responded
- 6,500 individual permits currently Administratively Continued
- 8000+ facilities under Administratively Continued General Permit

Q3. Percentage of NPDES Universe

- 10 states said < 5%
- 12 states said between 5% and 10%
- 5 states said between 10% and 20%
- 4 states said between 20% and 30%
- 3 states said > 30%

Q4. Administratively Continued for Less than One Year

- Of the 6,500 individual permits administratively continued, approximately 1,625 (25%) will be reissued in less than one year of the original permit term.

Q5. Number of Individual Permits Administratively Continued for longer than a year?

- Less than 1 year 25%
- 1 – 4 years 39%
- 5 – 9 years 24%
- 10 - 15 years 9%
- 15 years or more 3%

Q6. Why Administratively Continued

- Incomplete Application (Administrative, e.g. missing name/address) 5%
- Incomplete Application (Substantive, e.g. lack of monitoring data or model) 12%
- Normal Federal or State Administrative Process 30%
- Implementing EPA Regulatory Updates 10%
- Implementing a Court Decision 3%
- Disagreement with the Region/HQ 5%
- Lack of State Expertise 3%
- Challenging Political Implications 15%
- Other 15%

Further Details

- Above numbers = national average based on the total number of facilities covered by administratively continued permits
- Does not apply to individual states
- For example, one state indicated 80% of the permits were being held up due to disagreements with EPA
- Another state indicated that 100% of their stormwater permits were being held up due to challenging political implications and court decisions.
- Another state said 70% of their administratively continued permits related to staff turnover.

Further Details

- “Other” examples included staff turnover, permittee out of business but mining site remains, contested permits, inherited from EPA when state became authorized, permits require action by another state agency/board, UAA/Variance review, evolving WQS, consent decrees, public concerns, lack of federal support, draft TMDL, and funding for POTWs.