NPDES Permit Backlog Measures

March 1, 2023

2023 National NPDES Permitting Meeting

FY 2023 NPDES Measures

Metric Language	Target/Indicator	Frequency of Reporting
Number of applications for new EPA-issued NPDES individual permits in backlog	Target	Quarterly
Number of existing EPA-issued NPDES individual permits in backlog	Target	Quarterly
Number of applications for new NPDES individual permits for facilities on Tribal lands in backlog	Indicator	Annual
Number of existing EPA-issued NPDES individual permits for facilities on Tribal lands in backlog	Indicator	Annual
NEW: Number of facilities covered by EPA-issued NPDES general permits in backlog	Indicator	Quarterly
NEW: Percent of existing state-issued NPDES individual permits in backlog	Indicator	Annual
NEW: Percent of facilities covered by state-issued NPDES general permits in backlog	Indicator	Annual

Definition of Backlog

▶ Existing Individual and General Permits - considered backlogged 180 days after expiration (for permits that need to be reissued)

▶ Applications for new permits - considered backlogged 365 days after the complete application was received – EPA only (no state measure)

▶ Permits are removed from the backlog upon issuance, termination, denial, withdrawal of application, or other action to process the permit

General Permit Metrics

▶ Expecting fairly significant edits to draft general permit reports from Regions and states until all general permit covered facility data is in ICIS.

▶ For purposes of these measures, all coverages under the permit at the time of expiration are considered to be administratively continued, but Regions and states can let EPA know if any coverages are no longer needed and should be removed from the list.

▶ Excluding certain permits from tracking due to the transitory nature of authorizations or because the exact universe of coverages is unknown.

  - Categories currently planned for exclusion:
    - pesticide application
    - construction stormwater
    - construction dewatering
    - groundwater remediation
    - hydrostatic testing
    - temporary discharges
  - Open to input on this

Process for Reporting

- ▶ On the first business day after the reporting period, EPA HQ will pull permit data from ICIS-NPDES (and the ECHO eRule Phase 2 dashboard for general permits) and draft reports will be created.

- ▶ EPA HQ will send draft reports to EPA Regions for review and Regions will send to states for their review.

- ▶ After incorporating any edits, WPD will enter national totals into EPA's reporting system, BFS.

- ▶ WPD may also post more detailed information on the NPDES website.