

U.S. Environmental Protection Agency Annual Noncompliance Report (ANCR)

Calendar Year 2014

A Summary of Reviews, Violations, and Enforcement Response at
Individually-Permitted Nonmajor Dischargers under the National
Pollution Discharge Elimination System (NPDES) Program

U.S. Environmental Protection Agency
Office of Enforcement and Compliance Assurance
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Introductory Message from Cynthia Giles, Assistant Administrator

This Annual Noncompliance Report (ANCR) for calendar year 2014 provides valuable information about the state of compliance among individually-permitted nonmajor facilities regulated by the Clean Water Act (CWA) National Pollutant Discharge Elimination System (NPDES).

This report shows that there is an improving, but still unacceptable, level of noncompliance by individually-permitted nonmajor facilities with effluent limits established in NPDES discharge permits issued by the States, Territories, and the Environmental Protection Agency (EPA). Effluent limits are designed to preserve and protect our rivers, streams, and lakes— which support aquatic life, provide drinking water, and allow recreational uses such as fishing and swimming. Although a violation by one permittee might not result in serious water quality degradation, the combined effect of many facilities discharging above permitted limits can be substantial.

EPA's Clean Water Act Action Plan is designed to improve transparency of NPDES information and address water pollution problems through collaboration among EPA, States, and Territories. Providing information to the public and transparency about violations and government's response to violators, provides an incentive for compliance and helps support nationally-consistent program implementation. As noted in this report, many violations are not identified in public databases – in part because some states do not have the resources to manually enter data from discharge monitoring reports for smaller individually permitted facilities. Electronic reporting of discharge monitoring reports by the permittee is a best practice that many states now use to manage programs in a more efficient and transparent way and that EPA has recently embraced in its E-Reporting Rule. As shown in this report, States that are able to track discharge information in a database and share data with EPA electronic data analysis are almost twice as likely to identify serious violations (i.e., Category I) than States that are not electronically sending discharge monitoring data to EPA (see Table 1 –30% vs. 18% rates).

In September of 2015, EPA finalized a rule that will require electronic reporting for Clean Water Act NPDES permitting and compliance monitoring reporting requirements. The final rule requires the following permit and compliance monitoring information to be submitted electronically:

- Discharge Monitoring Reports (DMRs);
- Notices of Intent to discharge in compliance with a general permit; and
- Program reports.

This Rule will save time and resources for permittees, States, Tribes, Territories, and the U.S. Government while increasing data accuracy, improving compliance, and supporting EPA's goal of providing better protection of the nation's waters. It will also help provide greater clarity about compliance and enhance transparency by providing timelier, complete, more

accurate, and nationally-consistent data about the NPDES program. More information on the NPDES electronic reporting rule is available at: <http://www.epa.gov/compliance/final-national-pollutant-discharge-elimination-system-npdes-electronic-reporting-rule>. Given the difference in compliance rates historically between States that track compliance electronically and those that do not, EPA anticipates that with the implementation of electronic reporting and improved quality of data, it is likely that non-compliance rates may increase in future years.

EPA continues to work with states and territories to address the central problem identified in this report – namely, that noncompliance rates, while improving, remain too high and enforcement is not used frequently enough to reduce violation rates for these facilities. The implementation of the E-Reporting Rule and the availability of electronic data will greatly assist EPA, State, Territories and Tribes in this effort.

What Is This Report?

The ANCR summarizes enforcement and compliance data on the middle tier of NPDES facilities – facilities that are significant enough to require individual permits (as opposed to general permits), but are not classified as major dischargers of wastewater or stormwater. Throughout this report, these facilities are referred to as “ANCR permittees.” The ANCR is required by federal regulation 40 CFR 123.45(c), which also details the types of data to be reported.

Forty-six states and the Virgin Islands have received authority to implement the main NPDES program within their jurisdictions. For that reason, they are the permitting authorities for most NPDES facilities within their respective jurisdictions. Throughout this report, the phrase “permitting authority” refers to the governmental unit issuing the applicable NPDES permits. Some states have also received authority to implement various NPDES subprograms, leaving EPA as the permitting authority for all subprograms not authorized to these states.

The ANCR presents summary information – rather than facility-specific data – regarding the size of the ANCR permittee universe and the number of permits that were reviewed, found to be in noncompliance, or subject of various enforcement activities during the applicable calendar year. Some permitting authorities provide EPA with site-specific data which allows EPA to more easily assemble the ANCR summary data; other permitting authorities provide only the minimum required summary-level data to EPA. Permitting authorities are also required to provide facility-specific data to EPA about facilities missing construction schedule deadlines in compliance schedules by one or more years.

The ANCR provides information regarding Category I and Category II noncompliance. Category I noncompliance, as defined in 40 CFR 123.45(a)(2)(ii), includes 1) violations of conditions in enforcement orders except compliance schedules and reports; 2) violations of compliance schedule milestones for starting construction, completing construction, and attaining final compliance by 90 days or more from the date of the milestone specified in an enforcement order or a permit; 3) violations of permit effluent limits that exceed the Appendix

A “Criteria for Compliance Reporting in the NPDES Program”; and 4) failure to provide a compliance schedule report for final compliance or a monitoring report. Violations of other effluent limits besides monthly averages are not included as Category I noncompliance. Category II noncompliance, as defined in 40 CFR 123.45(a)(2)(iii), includes violations of permit conditions which EPA considers to be of substantial concern but which may not meet the criteria for Category I. It is possible that a facility might be in Category I noncompliance for a quarter of the calendar year and in Category II noncompliance for a different quarter; therefore, we do not add together the Category I and Category II noncompliance figures because some double-counting of facilities could occur.

Comparable information about major facilities can be found on the Enforcement and Compliance History Online (ECHO) website (<http://echo.epa.gov>), and specifically on the area entitled State Dashboards (<http://echo.epa.gov/trends/comparative-maps-dashboards/state-water-dashboard>). For many of the data tables shown in this report, the ECHO State Dashboards provide trend information derived from this report and previous reports.

Key National ANCR Findings for Calendar Year 2014 (reflected in Attachments 1 and 2)

- Universe:** The ANCR universe slightly increased to 40,818 in calendar year 2014, compared to 40,633 in CY 2013. To put this in perspective, EPA is approaching one million total NPDES permittees, of which 6,866 are major facilities with individual permits, 40,818 ANCR permittees (smaller facilities with individual permits), and the rest are permittees operating under general permits, including those for vessels and pesticide applicators.
- Reviewed for Noncompliance:** The compliance status was reviewed for 87% of the ANCR permittees in calendar year 2014. This is up slightly from the 81% reviewed in CY 2013, 83% reviewed in CY 2012 and the 82% reviewed in CY 2011 and CY 2010. Reviewed means that discharge data or other data were entered into within ICIS-NPDES and automatically compared to permit limits to flag violations, or that hard copy reports or other information were reviewed manually.
- Serious Noncompliance:** The overall reported violation rate for the more serious violations (i.e., Category I) is lower nationally than in any of the previous six calendar years. However, this may be attributable to the fact that, in the ANCR data for CY 2014, nine states did not distinguish between Category I and Category II violations. States with verified data (i.e., providing discharge monitoring data to EPA’s national data system for 75% or more of their ANCR permittees) continue to identify a much higher percentage of noncompliance, particularly for Category I violations, than states with non-verified data. States with verified data submit discharge monitoring data to EPA, and EPA’s national data system can automatically determine whether and when violations occur. States that do not consistently send discharge monitoring data to EPA’s national data system (“non-verified”) for their nonmajor facilities do not take advantage of EPA’s automatic violation determination. Some of these states have their own data systems, whereas others may only perform infrequent review of hard-copy discharge monitoring reports. The data suggest that the true Category I violation rates across the country are in line with the “verified” data shown below and that non-verified data underreports serious violations.

Table 1. Serious (Category I) Violation Rate Trends by Year
(as a percentage of facilities reviewed based on ANCR data for CY2008-2014)

Violation Type	2008	2009	2010	2011	2012	2013	2014
Category I Violation Rate for Verified States	60%	46%	35%	39%	30%	33%	30%
Category I Violation Rate for Non-Verified States	18%	25%	25%	13%	17%	17%	18%
Category I Violation Rate - Overall	26%	28%	29%	28%	24%	21%	19%

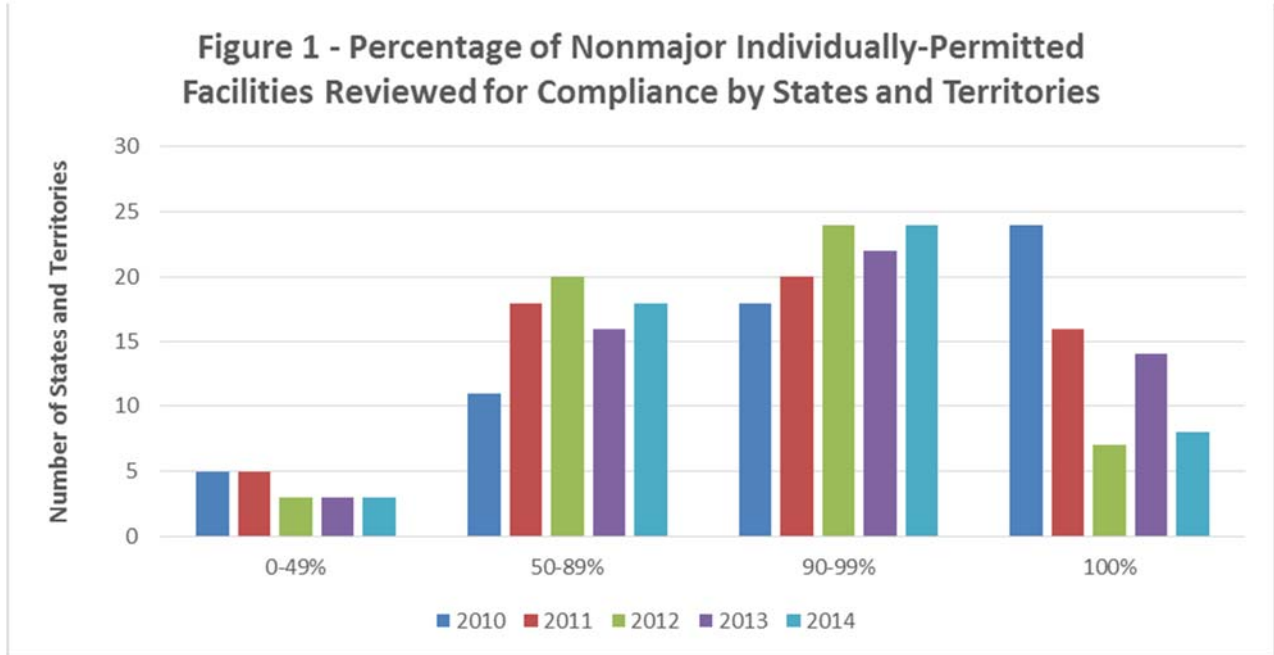
- **Overall Noncompliance Rate:** In CY 2014, 33% of the individually-permitted nonmajor facilities reviewed for compliance were found to be in Category I or Category II noncompliance. That is, of the 35,396 individually-permitted NPDES nonmajor facilities reviewed for compliance, a total of 11,563 were found to be in Category I or Category II noncompliance. For comparison, the overall noncompliance rate in verified states was 38% and 26% in non-verified states.
- **Formal Enforcement:** There were 1,247 formal enforcement actions against ANCR permittees in calendar year 2014; this is a slight decrease from the 1,339 formal enforcement actions taken in CY 2013. For comparison, there were 1,391 formal enforcement actions in CY 2012, 1,096 in CY 2011, and 1,631 in CY 2010.
 - o The percentage of facilities with formal enforcement compared to facilities with violations was 10.8% in calendar year 2014, slightly less from calendar year 2013 (11.1%). For comparison, this figure was 10.8% in 2012, 7.1% in 2011, 11% in CY 2010 and 7.7% in CY 2009.
 - o The percentage of facilities with formal enforcement compared to facilities with serious violations was 18.2%, slightly lower than in calendar year 2013 (20.4%). For comparison, this figure was 16.5% in CY 2012, 11.4% in CY 2011, 16% in CY 2010, and 12.5% in CY 2009. However, as mentioned previously, nine states were unable to distinguish between facilities with Category I and Category II violations and therefore the number of facilities with serious noncompliance may be under-represented.
- **Informal Enforcement:** There were 6,564 informal enforcement actions against ANCR permittees in calendar year 2014. In CY 2013, there were 7,289 informal enforcement actions, 7306 in CY 2012, 7,068 in CY 2011, 10,976 in CY 2010, and 8,159 in CY 2009. Note that some states were unable to provide accurate counts of such actions.
- **Penalties:** There were \$22.6 million in penalties assessed in calendar year 2014, highest since CY 2009. For comparison, this figure was \$21.3 in CY 2013, \$16.7 million in CY 2012, \$16.9 million in CY 2011, \$17.7 million in CY 2010, and \$23.3 million in CY 2009.
- **Compliance Schedules:** A total of 175 permittees were one or more years late meeting their construction schedule deadlines in calendar year 2014, compared to 415 in CY 2013, 404 in CY 2012, 423 in CY 2011, 384 in CY 2010, and 535 in CY 2009.

For complete state statistics, see Attachments 1 and 2, or visit the ECHO State Dashboard at <http://echo.epa.gov/trends/comparative-maps-dashboards/state-water-dashboard>.

State Highlights

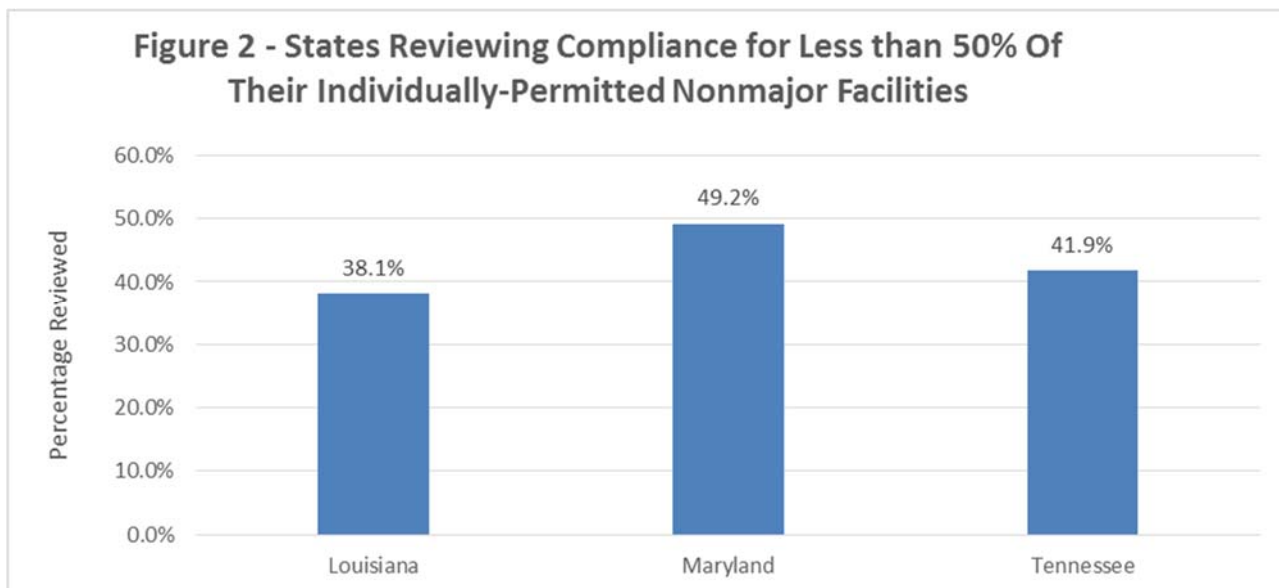
1. Reviewing Permits for Violations

The percentage of permittees reviewed for compliance was 87% in CY 2014. For comparison, the percentage of permittees reviewed for compliance was 81% in CY 2013 and 83% in CY 2012 and 82% in both CY 2011 and CY 2010. Reviewing permittees' effluent reports and other permit conditions is generally the first step that permitting authorities take to determine whether permittees are violating the limits set by their permits.



* Includes territories with more than five ANCR permittees

Three states (excluding American Samoa) reported to EPA for calendar year 2014 that they reviewed the compliance status for less than 50% of their individually-permitted nonmajor NPDES permittees (see Figure 2). Louisiana reviewed the compliance status for less than 50% of such facilities in each of the past five calendar years (CY 2010-2014). The three permitting authorities identified in Figure 2 are likely to have many discharge violations reported to them on hard-copy forms, but may not have reviewed those reports for the purpose of evaluating compliance or the need for enforcement.



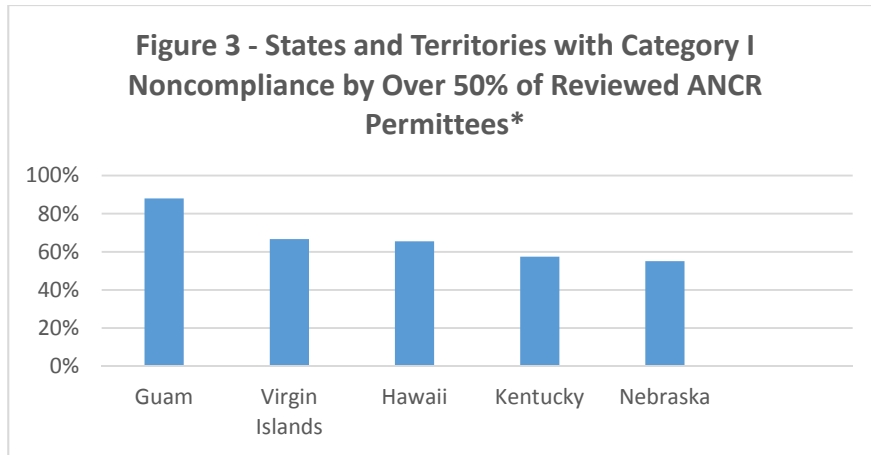
* American Samoa (AS) was not included in this chart because it has fewer than five total ANCR permittees in its universe.

2. Category I (More Serious) Violations in Calendar Year 2014

As indicated previously in Table 1, EPA has noted that for several years the reported Category I violation rates are considerably lower for non-verified states compared to verified states. States with verified data submit discharge monitoring data to EPA and EPA’s ICIS-NPDES system can automatically determine whether and when violations occur. As mentioned in the section titled “General Qualifications about the Data”, although not required by regulation, 27 states provided Discharge Monitoring Report (DMR) data to EPA’s ICIS-NPDES national data system for 75% or more of their ANCR permittees in calendar year 2014; these states are labeled in this report as “verified” states. States that do not consistently send discharge monitoring data to EPA’s national data system (“non-verified”) for their nonmajor facilities do not take advantage of EPA’s automatic violation determination. Some of these states have their own data systems, whereas others may only perform infrequent review of hard-copy discharge monitoring reports. The data suggest that the true Category I violation rates across the country are in line with the “verified” data shown below and that non-verified data underreports serious violations.

For calendar year 2014, nine states provided ANCR data that did not distinguish between Category I and Category II violations. These states are Alabama, Louisiana, Michigan, North Carolina, Oregon, Pennsylvania, South Carolina, Washington, and Wisconsin. For 2013, there were twelve such states. Therefore, the national Category I violation data is more complete than last year.

Some states and territories have high Category I noncompliance rates. Excluding territories with less than 5 ANCR permittees, five states or territories reported that over 50% of their ANCR reviewed permittees had Category I violations in calendar year 2014 (see Figure 3).

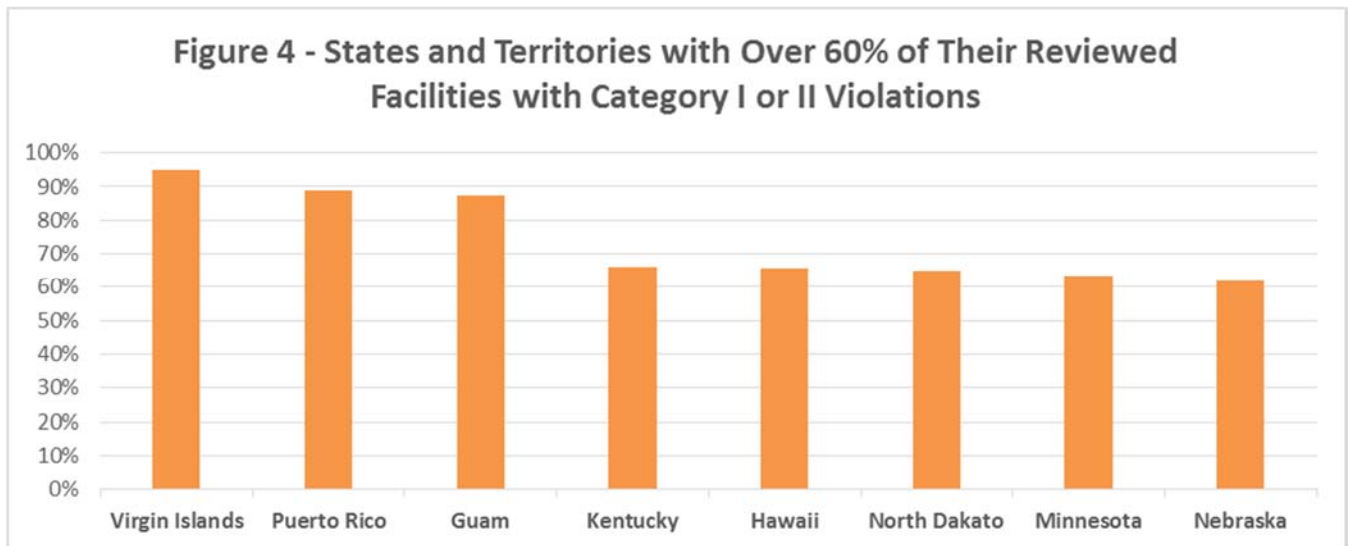


*Includes territories with more than 5 ANCR permittees. EPA is the permitting authority for Guam.

3. Category I or Category II Violations in Calendar Year 2014

In CY 2014, 33% of the reviewed facilities had Category I violations, Category II violations, or both. Nationally, this percentage was much higher for EPA-issued permits (61%) than for state-issued permits (32%). This difference was also evident in verified states (38%) compared to non-verified states (26%).

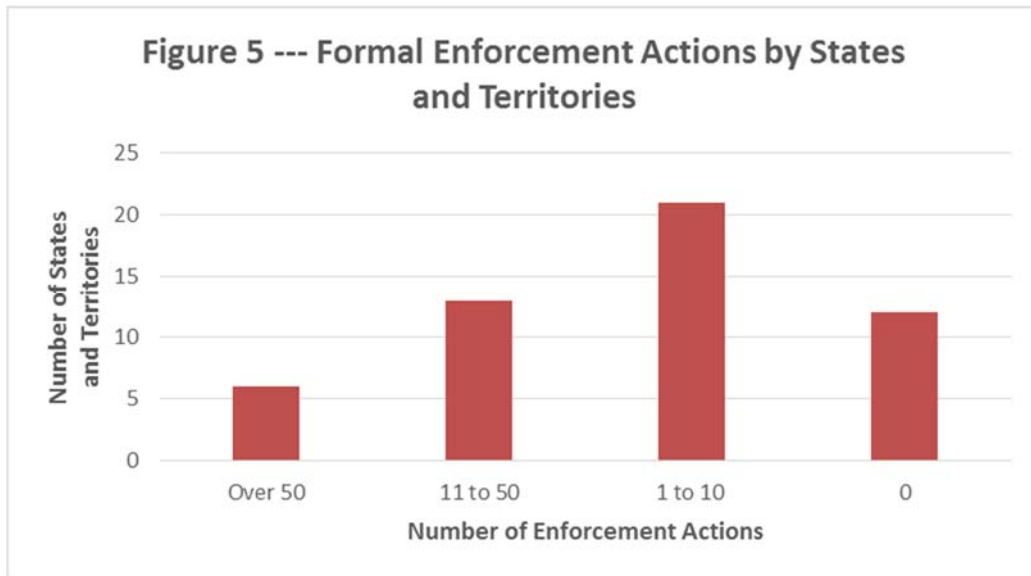
In CY 2014, eight states or territories had over 60% of their reviewed facilities with Category I violations, Category II violations, or both. (See Figure 4).



4. Formal Enforcement Actions

Figure 5 shows that the utilization of formal enforcement actions varies considerably by state. The six states taking more than 50 formal enforcement actions in calendar year 2014 were, in declining order, West Virginia, Pennsylvania, Texas, Virginia, Illinois and Oklahoma.

Three states of these six states (Texas, Pennsylvania, and Oklahoma) also took 50 or more formal enforcement actions in calendar years 2011, 2012 and 2013.

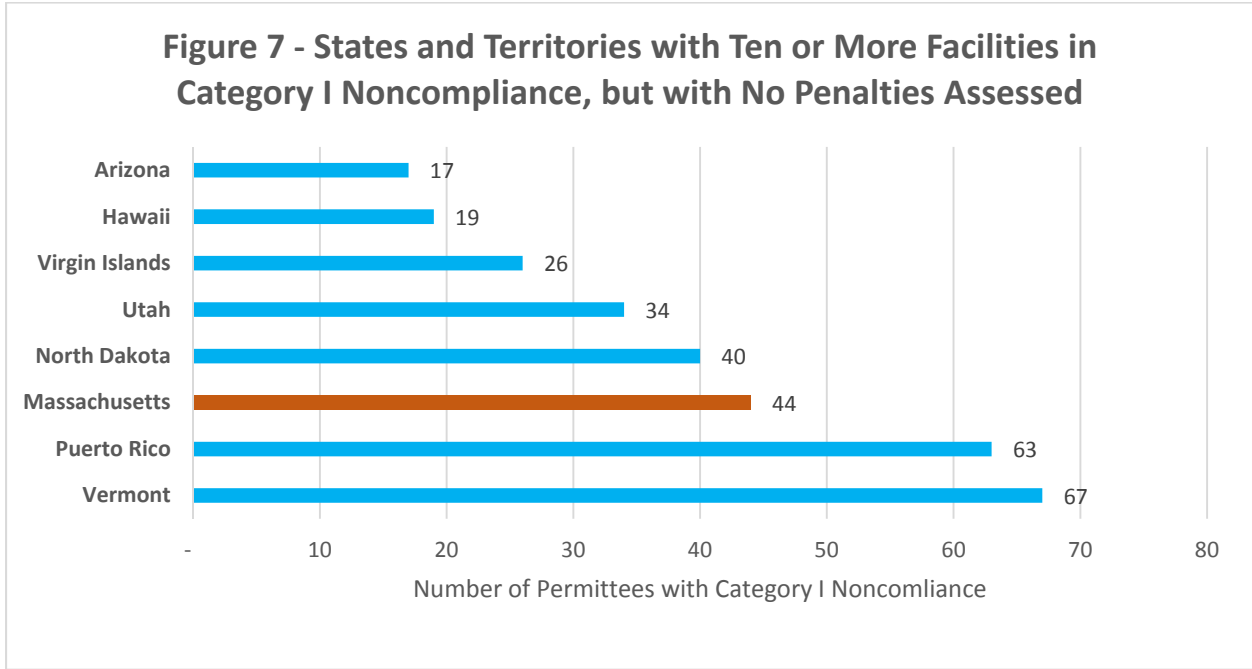


5. Penalties

The amount of penalties varies substantially among states and by year for most states. Three states assessed one million dollars or more in penalties in calendar year 2014. The states shown below in Figure 6 are successfully assessing penalties well above the levels of most other states. Two of these states (California and Texas) assessed penalties of one million dollars or more for each of the past five years (CY 2010-2014).



Twelve permitting authorities with ANCR permittees in Category I noncompliance in 2014 assessed no penalties in calendar year 2014. This total includes several permitting authorities with very few facilities in Category I noncompliance; seven of these 12 permitting authorities had ten or more facilities in Category I noncompliance in 2014 and no penalties assessed in 2014. (Figure 7).

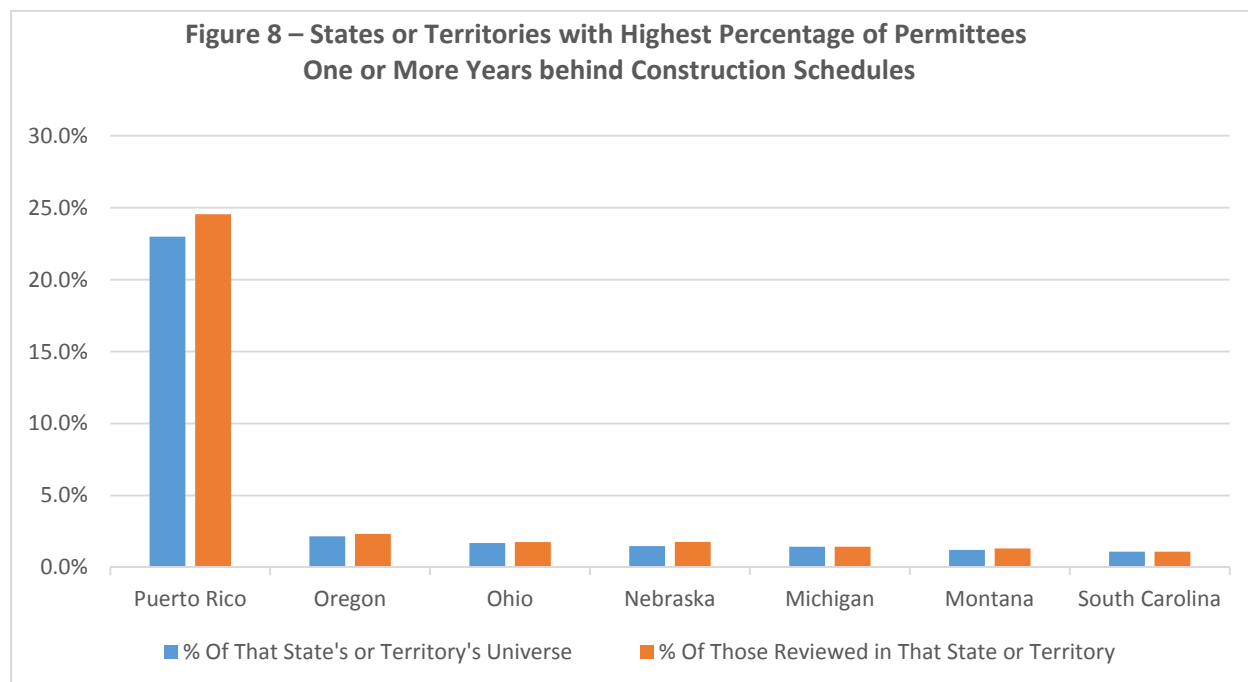


Note: The following states or territories were not included in this chart because, although no penalties were assessed in these locations in 2014, each of them had fewer than ten ANCR permittees in Category I noncompliance in 2014: American Samoa, the District of Columbia, Guam, (MP and MW) Midway Islands, Navajo Nation, Nevada, New Hampshire, Northern Marinas Islands, and the St. Regis Tribe. EPA is the permitting authority for 8 of the 14 states or territories (the District of Columbia, Guam, Massachusetts, Midway Islands, Navajo Nation, New Hampshire, Northern Marinas Islands, and the St. Regis Tribe) identified either in the chart above or in the preceding list.

Please note that this graphic does not include any enforcement actions that the state of Massachusetts (although not the permitting authority) may have taken. Information about state actions in Massachusetts may be available from the state.

6. Compliance with Construction Schedules

The percentage of permittees that are one or more years behind on construction schedules varies significantly among the states and territories. In seven states or territories (excluding American Samoa), 1% or more of ANCR permittees are one or more years behind on construction schedules in calendar year 2014. For those states or territories, Figure 8 shows the schedule violations as a percentage of both the universe of permittees within that state or territory and the permittees reviewed for that state or territory for calendar year 2014.



* American Samoa (AS) was not included in this chart because it has fewer than five total ANCR permittees in its universe.

7. Conclusion

This Annual Noncompliance Report (ANCR) for calendar year 2014 provides valuable information about the compliance status and subsequent enforcement response to the individually-permitted nonmajor facilities regulated by the Clean Water Act (CWA) National Pollutant Discharge Elimination System (NPDES). Although, nationally, 87% of the ANCR facilities were reviewed for compliance by the state, territory, or EPA, three states reported that they had reviewed the compliance status for less than 50% of their ANCR permittees. The noncompliance rate for ANCR facilities continues to be high; approximately 30% of the reviewed ANCR permittees in verified states were in Category I noncompliance at some time in the calendar year. Nine states did not distinguish between Category I or Category II violations for the purposes of this report; this trend is decreasing but should continue to be watched in that it particularly affects the national Category I noncompliance rate.

NPDES Program Background

The NPDES program was created to improve the quality of water in the nation's waterways. To accomplish that goal, facilities discharging pollutants to surface water are required to apply for NPDES permits, and then to operate within the limits established by those permits. Those permits regulate the type, amount, and timing of pollutants that the facility is allowed to discharge.

NPDES permits are broadly categorized as either individual permits or general permits. Individual permits are typically required for larger facilities. For example, they cover discharges of pollutants from specific outfalls or pipes (point sources) from industrial facilities, mines, municipal wastewater treatment plants, sewer system overflow points, and some construction sites and concentrated animal feeding operations to receiving waters. Approximately 47,684 permittees have been issued individual NPDES permits. This includes the 40,818 nonmajor facilities covered in this report, plus 6,866 "major" permittees not covered in this report.

General permits are written to cover entire categories of smaller dischargers, such as automated car washes and commercial vessels. There are approximately 500 NPDES general permits in use nationwide; some are issued by EPA, but many were developed and used solely within individual states. Most of the nearly one million total NPDES permittees operate under NPDES general permits. These facilities are not included in the ANCR data.

NPDES permits typically require the permit-covered facility to perform some degree of self-monitoring and reporting. Each of the permittees covered by this ANCR report is required to monitor its pollutant discharges at one or more specified locations, and to report the results of the self-monitoring to its permitting authority on a regular basis (usually monthly).

The CWA requires permitting authorities to review the self-monitoring data submitted by permittees, assess compliance with the permit, conduct inspections of the facilities, review required facility reports related to specific aspects of the NPDES program, identify instances of noncompliance, and take enforcement actions as needed.

How Does NPDES Enforcement Work?

EPA and the states use a variety of enforcement techniques to compel compliance under the law. An authorized state or territory typically takes the lead on enforcement activities within its jurisdiction, but even in those jurisdictions EPA retains the right to act. For example, EPA may initiate an enforcement action if the state requests help, if a case is of national interest, or if EPA determines that a more robust enforcement response is needed.

When permit violations are detected, the enforcement process generally begins with an informal action, but can escalate to fines or formal enforcement actions depending on the severity and duration of the violation. For example, the permitting authority might send a warning letter (an informal action) to a permittee as a first step toward returning a facility to

compliance. Permittees frequently address their violations in response to such warnings. In some situations, the permitting authority may issue a fine to deter future violations – these are referred to as administrative penalty orders. Formal enforcement actions are sometimes necessary to return a facility to compliance. Formal enforcement actions include administrative compliance orders, or an equivalent state action, and civil judicial referrals to the U.S. Department of Justice or to the applicable state Attorney General. Formal enforcement actions require permittees to take specific corrective actions to achieve compliance, specify a timetable for those actions, outline the consequences of noncompliance (once established, these are usually independently enforceable, without having to prove the original violation), and subject the permittee to adverse legal consequences for noncompliance. Fines frequently accompany these actions.

Neither the states nor EPA have enough resources to carry out formal enforcement for every NPDES violation, and the potential water quality impacts of violations at major facilities and other point sources (e.g., illegal sewer overflows, discharges of manure from concentrated animal feeding operations [CAFOs], and storm water discharges, etc.) are generally more significant than for most ANCR permittees. For that reason, enforcement at those larger sites might be a higher priority. However, impacts on receiving waters can be significant even from smaller facilities. EPA expects permitting authorities to have an enforcement presence in all aspects of the NPDES program to deter noncompliance. The information in this report allows readers to evaluate how vigorous those enforcement programs are. Additional information about other enforcement actions is available on the ECHO website and at www.epa.gov/compliance.

What Data Are Included?

Every NPDES program authority (state, territory, or EPA Regional Office) is required to provide EPA with the following annual summary information regarding its ANCR permittees:

- Number of ANCR permittees;
- Number of ANCR permittees reviewed by the state/territory/Region;
- Number of ANCR permittees reviewed and found to be in Category I noncompliance (i.e., more serious violations);
- Number of ANCR permittees reviewed and found to be in Category II noncompliance;
- Number of non-complying ANCR permittees receiving informal enforcement actions;
- Number of non-complying ANCR permittees receiving administrative penalty orders;
- Number of non-complying ANCR permittees receiving a formal enforcement action;
- Number of non-complying ANCR permittees receiving either a formal enforcement action OR an administrative penalty order;
- Dollars of penalties assessed against non-complying ANCR permittees; and
- Number of permit modifications extending compliance deadlines granted to non-

complying ANCR permittees.

In addition, information is also required regarding a list of ANCR permittees which are one or more years behind in construction phases of a compliance schedule, in alphabetical order by name and with permit number.

General Qualifications about the Data

It is important to note the following qualifications regarding the data reported in the ANCR:

- For the most part, existing regulations only require states to provide summary data for the ANCR. The only facility-specific data that is required pertains to ANCR permittees that are one or more years behind in construction phases of a compliance schedule.
 - o Currently, states are not required to provide EPA with facility-specific data on self-monitoring, violations, enforcement actions, or penalties for most ANCR permittees.
 - o Although not required by regulation, 27 states provided Discharge Monitoring Report (DMR) data to EPA's ICIS-NPDES national data system for 75% or more of their ANCR permittees in calendar year 2014.
- The ANCR originally did not include data regarding informal enforcement actions, but some states indicated that omitting informal enforcement actions understated their enforcement efforts; therefore, informal enforcement actions are now included in the ANCR.
- The 2014 ANCR excludes data from New Jersey. EPA requested the ANCR data from New Jersey but did not receive it. Not knowing the number of facilities in noncompliance within NJ, EPA removed all their information from the ANCR and will work with the state to accurately report for 2015.

Attachment 1

Compliance and Enforcement Statistics for Non-Major Facilities with Individual Permits by State for Calendar Year 2014, Verified States That Could Distinguish Between Category I and Category II Non-Compliance.

Region	State	Data Completeness in ICIS NPDES	Item 1) Permittees Universe				Item 2) Permittees Reviewed				% Reviewed	Item 3) Category I Non-Compliance				Item 4) Category II Non-Compliance				Category I or Category II Non-Compliance				Total Non-Compliance Rate	
			State	EPA	Tribal	Total	State	EPA	Tribal	Total		State	EPA	Tribal	Total	State	EPA	Tribal	Total	State	EPA	Tribal	Total		
10	AK	77.1%	32	3	-	35	25	2	-	27	77%	9	-	-	9	3	1	-	4	12	1	-	13	48%	
6	AR	99.0%	686	3	-	689	681	2	-	683	99%	283	-	-	283	73	-	-	73	356	-	-	356	52%	
9	AZ	79.6%	84	-	13	97	84	-	10	94	97%	7	-	10	17	7	-	-	7	14	-	10	24	26%	
1	CT	97.3%	76	4	-	80	71	2	-	73	91%	10	-	-	10	7	-	-	7	17	-	-	17	23%	
3	DE	90.0%	30	-	-	30	27	-	-	27	90%	3	2	-	3	2	-	-	2	5	-	-	5	19%	
4	FL	94.2%	295	2	-	297	283	2	-	285	96%	63	2	-	65	20	-	-	20	83	2	-	85	30%	
7	IA	79.6%	1,514	3	-	1,517	1,205	2	-	1,207	80%	427	1	-	428	126	1	-	127	553	2	-	555	46%	
10	ID	86.3%	-	139	-	139	-	120	-	120	86%	-	36	-	36	-	28	-	26	-	62	-	-	62	52%
5	IL	93.1%	1,295	-	-	1,295	1,205	-	-	1,205	93%	551	-	-	551	156	-	-	156	707	-	-	707	59%	
5	IN	97.9%	1,401	-	-	1,401	1,371	-	-	1,371	98%	285	-	-	285	51	-	-	51	336	-	-	336	25%	
4	KY	85.0%	1,632	-	-	1,632	1,387	-	-	1,387	85%	797	-	-	797	117	-	-	117	914	-	-	914	66%	
1	MA	90.4%	-	125	-	125	-	113	-	113	90%	-	44	-	44	-	18	-	18	-	62	-	-	62	55%
7	MO	78.1%	3,133	-	-	3,133	2,447	-	-	2,447	78%	64	-	-	64	120	-	-	120	184	-	-	184	8%	
4	MS	90.7%	1,249	5	-	1,254	1,139	5	-	1,144	91%	269	4	-	273	16	-	-	16	285	4	-	289	25%	
8	MT	92.7%	133	31	-	164	129	23	-	152	93%	33	14	-	47	14	-	-	14	47	14	-	61	40%	
9	MW	100.0%	-	1	-	1	-	1	-	1	100%	-	1	-	1	-	-	-	-	-	1	-	-	1	100%
7	NE	83.5%	668	8	-	676	556	8	-	564	83%	306	5	-	311	36	2	-	38	342	7	-	349	62%	
1	NH	97.1%	-	34	-	34	-	33	-	33	97%	-	5	-	5	-	1	-	1	-	6	-	-	6	18%
6	NM	89.6%	-	93	-	93	-	89	-	89	96%	-	44	-	44	-	7	-	7	-	51	-	-	51	57%
9	NN	92.9%	-	-	28	28	-	-	26	26	93%	-	5	-	5	-	3	-	3	-	8	-	-	8	31%
2	NY	86.5%	1,201	-	-	1,201	1,038	-	-	1,038	86%	150	-	-	150	218	-	-	218	368	-	-	368	35%	
3	DC	97.3%	7	-	-	7	7	-	-	7	100%	2	-	-	2	1	-	-	1	3	-	-	3	43%	
5	OH	96.3%	3,075	-	-	3,075	2,962	-	-	2,962	96%	784	-	-	784	235	-	-	239	1,023	-	-	1,023	35%	
6	OK	98.2%	369	7	-	376	365	7	-	372	99%	78	-	-	78	24	-	-	24	102	-	-	102	27%	
2	PR	93.7%	174	-	-	174	163	-	-	163	94%	63	-	-	63	82	-	-	82	145	-	-	145	89%	
1	RI	92.7%	53	2	-	55	51	-	-	51	93%	9	-	-	9	6	-	-	6	9	-	-	9	18%	
8	SD	81.3%	242	9	-	251	200	4	-	204	81%	72	4	-	76	10	-	-	10	82	4	-	86	42%	
2	SR	100.0%	-	-	2	2	-	-	2	2	100%	-	-	-	2	2	-	-	-	-	-	-	2	2	100%
6	TX	83.0%	2,273	42	-	2,315	1,893	35	-	1,928	83%	797	26	-	823	187	-	-	187	984	25	-	1,010	52%	
1	VT	89.0%	148	2	-	150	148	1	-	149	99%	64	1	-	65	11	-	-	11	10	1	-	11	7%	
Subtotal			19,770	513	43	20,326	17,437	449	38	17,924	88%	5,128	187	17	5,332	1,526	56	3	1,585	6,581	243	20	6,844	38%	

Compliance and Enforcement Statistics for Non-Major Facilities with Individual Permits by State for Calendar Year 2014, Verified States That Could Not Distinguish Between Category I and Category II Non-Compliance

Region	State	Data Completeness in ICIS NPDES	Item 1) Permittees Universe				Item 2) Permittees Reviewed				% Reviewed	Item 3) Category I Non-Compliance				Item 4) Category II Non-Compliance				Category I or Category II Non-Compliance				Total Non-Compliance Rate	
			State	EPA	Tribal	Total	State	EPA	Tribal	Total		State	EPA	Tribal	Total	State	EPA	Tribal	Total	State	EPA	Tribal	Total		
4	SC	98.2%	275	-	-	275	275	-	-	275	100%	-	-	-	-	-	-	-	-	81	-	-	81	29%	
10	WA	85.7%	359	33	-	392	359	25	-	384	98%	-	9	-	9	-	5	-	5	213	14	-	227	59%	
Subtotal			634	33	-	667	634	25	-	659	99%	-	9	-	9	-	5	-	5	294	14	-	308	47%	
National			56.4%	40,034	735	49	40,818	34,771	581	44	35,396	87%	6,571	246	19	6,836	3,141	80	3	3,224	11,215	326	22	11,563	33%

*2014 ANCR data excludes NJ because the information was not submitted.

Attachment 1

Compliance and Enforcement Statistics for Non-Major Facilities with Individual Permits by State for Calendar Year 2014, Verified States That Could Distinguish Between Category I and Category II Non-Compliance

Region	State	Enforcement Activity																							
		Item 5) Permittees Receiving Formal Enf. Actions for RNC			Item 5a) Penalty Dollars Assessed			Item 5b) Permittees Receiving Administrative Penalty Orders			Item 5c) Permittees Receiving Formal Enf and/or APO			Item 6) Permit Mods. Extending Compliance Deadlines			Item 7) One or More Years Behind Constr. Sched. Deadlines			Item 8) Permittees Receiving Informal Enforcement Actions					
		State	EPA	Total	State	EPA	Total	State	EPA	Total	State	EPA	Total	State	EPA	Total	State	EPA	Total	State	EPA	Total			
10	AK	-	-	-	\$0	\$147,000	\$147,000	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	4	-	4
6	AR	16	-	16	\$30,575	\$0	\$30,575	-	-	-	16	-	16	1	-	1	1	1	-	1	-	1	1	-	1
9	AZ	4	5	9	\$0	\$0	\$0	-	-	-	4	5	9	-	-	-	-	-	-	-	-	-	22	-	22
1	CT	3	-	3	\$45,000	\$0	\$45,000	1	-	1	4	-	4	-	-	-	-	-	-	-	-	9	-	9	
3	DE	-	-	-	\$0	\$32,500	\$32,500	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	6	-	6
4	FL	4	-	4	\$18,500	\$0	\$18,500	3	-	3	7	-	7	-	-	-	-	-	-	-	-	1	-	1	
7	IA	8	1	9	\$40,000	\$15,000	\$55,000	7	1	8	15	2	17	9	-	9	14	-	14	-	-	277	-	277	
10	ID	-	1	1	\$0	\$14,500	\$14,500	-	1	1	-	2	2	-	-	-	-	-	-	-	-	-	-	-	
5	IL	61	3	64	\$35,000	\$0	\$35,000	-	-	-	61	3	64	-	-	-	9	-	9	-	-	60	1	61	
5	IN	15	-	15	\$25,220	\$0	\$25,220	13	-	13	28	-	28	-	-	-	6	-	6	-	-	422	-	422	
4	KY	31	-	31	\$272,800	\$110,000	\$382,800	1	-	1	32	-	32	-	-	-	1	-	1	-	-	272	-	272	
1	MA	-	2	2	\$0	\$0	\$0	-	-	-	-	2	2	-	-	-	-	-	-	-	-	-	-	-	
7	MO	2	2	4	\$0	\$21,800	\$21,800	2	2	4	4	4	8	-	-	-	5	-	5	-	-	-	-	-	
4	MS	17	-	17	\$65,105	\$0	\$65,105	-	-	-	17	-	17	-	-	-	2	-	2	-	-	377	-	377	
8	MT	25	1	26	\$24,875	\$0	\$24,875	2	-	2	27	1	28	-	-	-	1	1	2	-	-	95	-	95	
9	MW	-	-	-	\$0	\$0	\$0	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
7	NE	6	-	6	\$16,000	\$0	\$16,000	1	-	1	7	-	7	-	-	-	10	-	10	-	-	-	-	-	
1	NH	-	-	-	\$0	\$0	\$0	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
6	NM	-	5	5	\$0	\$11,500	\$11,500	-	2	2	-	7	7	-	-	-	-	-	-	-	-	-	3	3	
9	NN	-	-	-	\$0	\$0	\$0	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
2	NY	27	-	27	\$176,458	\$0	\$176,458	-	-	-	27	-	27	-	-	-	3	-	3	-	-	-	-	-	
3	DC	-	-	-	\$0	\$0	\$0	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
5	OH	22	-	22	\$915,668	\$0	\$915,668	11	-	11	33	-	33	-	-	-	52	-	52	-	-	665	-	665	
6	OK	58	-	58	\$91,437	\$0	\$91,437	9	-	9	67	-	67	-	-	-	2	-	2	-	-	10	1	11	
2	PR	-	-	-	\$0	\$0	\$0	-	-	-	-	-	-	-	-	-	40	-	40	-	-	-	-	-	
1	RI	3	-	3	\$120,000	\$0	\$120,000	2	-	2	5	-	5	-	-	-	-	-	-	-	-	15	-	15	
8	SD	1	-	1	\$13,400	\$0	\$13,400	-	-	-	1	-	1	-	-	-	-	-	-	-	-	78	-	78	
2	SR	-	-	-	\$0	\$0	\$0	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
6	TX	117	1	118	\$1,110,929	\$18,000	\$1,128,929	117	1	118	234	2	236	-	-	1	1	-	-	-	-	425	-	425	
1	VT	1	-	1	\$0	\$0	\$0	-	-	-	1	-	1	-	-	-	-	-	-	-	-	-	-	-	
		421	21	442	\$3,000,967	\$370,300	\$3,371,267	169	7	176	590	28	618	10	1	11	146	1	147	-	-	2,739	5	2,744	

Compliance and Enforcement Statistics for Non-Major Facilities with Individual Permits by State for Calendar Year 2014, Verified States That Could Not Distinguish Between Category I and Category II Non-Compliance

Region	State	Enforcement Activity																						
		Item 5) Permittees Receiving Formal Enf. Actions for RNC			Item 5a) Penalty Dollars Assessed			Item 5b) Permittees Receiving Administrative Penalty Orders			Item 5c) Permittees Receiving Formal Enf and/or APO			Item 6) Permit Mods. Extending Compliance Deadlines			Item 7) One or More Years Behind Constr. Sched. Deadlines			Item 8) Permittees Receiving Informal Enforcement Actions				
		State	EPA	Total	State	EPA	Total	State	EPA	Total	State	EPA	Total	State	EPA	Total	State	EPA	Total	State	EPA	Total		
4	SC	15	-	15	\$181,441	\$112,500	\$293,941	-	-	-	15	-	15	2	-	2	3	-	3	-	-	121	-	121
10	WA	10	-	10	\$75,000	\$300,000	\$375,000	4	-	4	14	-	14	2	-	2	1	-	1	-	-	113	1	114
		25	-	25	\$256,441	\$412,500	\$668,941	4	-	4	29	-	29	4	-	4	4	-	4	-	-	234	1	235
		1,220	27	1,247	\$20,503,483	\$2,140,728	\$22,644,211	613	9	622	1,178	30	1,220	20	1	21	174	1	175	-	-	6,526	38	6,564

Attachment 2

Compliance and Enforcement Statistics for Non-Major Facilities with Individual Permits by State for Calendar Year 2014, Non-verified States That Could Distinguish Between Category I and Category II Non-Compliance.

Region	State	Data Completeness in ICIS-NPDES	Item 1) Permits Universe				Item 2) Permits Reviewed				% Reviewed	Item 3) Category I Non-Compliance				Item 4) Category II Non-Compliance				Category I or Category II Non-Compliance				Total Non-Compliance Rate	
			State	EPA	Tribal	Total	State	EPA	Tribal	Total		State	EPA	Tribal	Total	State	EPA	Tribal	Total	State	EPA	Tribal	Total		Total
9	AS	0.0%	2	-	-	2	-	-	-	0%	-	-	-	-	-	-	-	-	-	-	-	-	-	-	NA
9	CA	2.7%	244	-	6	250	244	-	6	250	100%	38	-	2	40	39	-	-	39	62	-	2	64	26%	
8	CO	64.0%	340	54	-	394	336	14	-	350	89%	83	5	-	88	46	2	-	48	129	7	-	136	39%	
4	GA	70.8%	567	1	-	568	567	1	-	568	100%	91	1	-	92	9	-	-	9	63	1	-	64	11%	
9	GU	57.1%	-	14	-	14	-	8	-	8	57%	-	7	-	7	-	-	-	-	-	7	-	-	7	88%
9	HI	8.1%	34	-	-	34	29	-	-	29	85%	19	-	-	19	-	-	-	-	19	-	-	19	66%	
7	KS	44.8%	1,033	6	-	1,039	926	5	-	931	90%	112	9	-	115	6	1	-	7	118	4	-	122	13%	
3	MD	50.5%	798	15	-	813	400	-	-	400	49%	168	-	-	168	40	-	-	40	208	-	-	208	52%	
1	ME	67.0%	367	-	-	367	246	-	-	246	67%	49	-	-	49	31	-	-	31	80	-	-	80	33%	
5	MN	3.4%	562	20	-	582	562	19	-	581	100%	120	4	-	124	237	7	-	244	357	11	-	368	63%	
9	MP	50.0%	-	4	-	4	-	2	-	2	50%	-	-	-	-	-	-	-	-	-	-	-	-	0%	
8	ND	2.9%	77	8	-	85	77	9	-	80	94%	37	9	-	40	12	-	-	12	49	3	-	52	65%	
9	NV	10.5%	100	-	-	100	100	-	-	100	100%	2	-	-	2	-	-	-	-	2	-	-	2	2%	
4	TN	41.9%	1,168	-	-	1,168	489	-	-	489	42%	49	-	-	49	33	-	-	33	82	-	-	82	17%	
8	UT	65.9%	127	2	-	129	83	2	-	85	66%	34	-	-	34	8	1	-	9	42	1	-	43	51%	
3	VA	0.0%	1,120	-	-	1,120	1,120	-	-	1,120	100%	197	-	-	197	254	-	-	254	104	-	-	104	9%	
2	VT	57.4%	68	-	-	68	39	-	-	39	57%	26	-	-	26	11	-	-	11	37	-	-	37	95%	
3	WV	62.7%	1,998	-	-	1,998	1,998	-	-	1,998	100%	405	-	-	405	148	-	-	148	553	-	-	553	28%	
8	WY	63.3%	731	18	-	749	731	15	-	746	100%	13	11	-	24	14	-	-	14	27	11	-	38	5%	
Subtotal			9,336	142	6	9,484	7,947	69	6	8,022	85%	1,443	34	2	1,479	888	11	-	899	1,932	45	2	1,979	25%	

Compliance and Enforcement Statistics for Non-Major Facilities with Individual Permits by State for Calendar Year 2014, Non-verified States That Could Not Distinguish Between Category I and Category II Non-Compliance

Region	State	Data Completeness in ICIS-NPDES	Item 1) Permits Universe				Item 2) Permits Reviewed				% Reviewed	Item 3) Category I Non-Compliance				Item 4) Category II Non-Compliance				Category I or Category II Non-Compliance				Total Non-Compliance Rate
			State	EPA	Tribal	Total	State	EPA	Tribal	Total		State	EPA	Tribal	Total	State	EPA	Tribal	Total	State	EPA	Tribal	Total	
4	AL	51.8%	1,392	1	-	1,393	1,203	-	-	1,203	86%	-	-	-	-	-	-	-	-	346	-	-	346	29%
6	LA	21.6%	1,178	11	-	1,189	444	9	-	453	38%	-	2	-	2	-	2	-	250	4	-	254	56%	
5	MI	37.2%	409	8	-	417	409	8	-	417	100%	-	2	-	2	-	1	-	180	3	-	183	44%	
4	NC	69.6%	1,262	4	-	1,266	909	4	-	913	72%	-	9	-	3	-	-	532	3	-	535	59%		
10	OR	1.7%	273	5	-	278	255	3	-	258	93%	-	9	-	3	-	-	48	3	-	51	20%		
3	PA	3.1%	5,124	-	-	5,124	4,877	-	-	4,877	95%	-	-	-	-	727	-	-	727	727	-	-	727	15%
5	WI	1.5%	656	16	-	672	656	14	-	670	100%	-	6	-	6	-	5	-	325	11	-	336	50%	
Subtotal			10,294	45	-	10,339	8,753	38	-	8,791	85%	-	16	-	16	727	8	-	735	2,408	24	-	2,432	28%

*2014 ANCR data excludes NJ because the information was not submitted.

Attachment 2

Compliance and Enforcement Statistics for Non-Major Facilities with Individual Permits by State for Calendar Year 2014, Non-verified States That Could Distinguish Between Category I and Category II Non-Compliance

Region	State	Enforcement Activity																							
		Item 5) Permittees Receiving Formal Enf. Actions for RNC			Item 5a) Penalty Dollars Assessed			Item 5b) Permittees Receiving Administrative Penalty Orders			Item 5c) Permittees Receiving Formal Enf and/or APO			Item 6) Permit Mods. Extending Compliance Deadlines			Item 7) One or More Years Behind Constr. Sched. Deadlines			Item 8) Permittees Receiving Informal Enforcement Actions					
		State	EPA	Total	State	EPA	Total	State	EPA	Total	State	EPA	Total	State	EPA	Total	State	EPA	Total	State	EPA	Total			
9	AS	-	-	-	\$0	\$0	\$0	-	-	-	-	-	-	-	-	-	-	-	1	-	-	1	-	-	-
9	CA	40	-	40	\$1,955,445	\$1,276,778	\$3,232,223	37	-	37	77	-	77	3	-	3	-	-	-	-	-	-	59	-	59
8	CO	9	-	9	\$103,653	\$0	\$103,653	1	-	1	10	-	10	-	-	-	-	-	1	-	-	1	-	-	-
4	GA	46	-	46	\$91,475	\$0	\$91,475	35	-	35	81	-	81	-	-	-	-	-	1	-	-	1	56	-	56
9	GU	-	-	-	\$0	\$0	\$0	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
9	HI	-	-	-	\$0	\$0	\$0	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	3	-	3
7	KS	6	1	7	\$8,000	\$16,150	\$24,150	4	1	5	10	2	12	-	-	-	-	-	-	-	-	-	-	-	-
3	MD	16	-	16	\$137,150	\$0	\$137,150	16	-	16	32	-	32	-	-	-	-	-	-	-	-	-	-	-	-
1	ME	4	1	5	\$214,761	\$65,000	\$279,761	1	1	2	5	2	7	1	-	1	1	-	-	-	-	1	28	-	28
5	MN	37	-	37	\$53,351	\$0	\$53,351	12	-	12	49	-	49	-	-	-	-	-	1	-	-	1	32	-	32
9	MP	-	-	-	\$0	\$0	\$0	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
8	ND	-	-	-	\$0	\$0	\$0	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	23	-	23
9	NV	-	-	-	\$0	\$0	\$0	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
4	TN	6	-	6	\$618,347	\$0	\$618,347	6	-	6	12	-	12	-	-	-	-	-	-	-	-	-	52	-	52
8	UT	1	-	1	\$0	\$0	\$0	-	-	-	1	-	1	-	-	-	-	-	-	-	-	-	2	-	2
3	VA	117	-	117	\$284,657	\$0	\$284,657	9	-	9	126	-	126	1	-	1	1	-	-	-	-	1	290	-	290
2	VI	1	1	2	\$0	\$0	\$0	-	-	-	1	1	2	-	-	-	-	-	-	-	-	-	32	32	64
3	WV	222	-	222	\$11,882,500	\$0	\$11,882,500	57	-	57	279	-	279	-	-	-	-	-	1	-	-	1	1,691	-	1,691
8	WY	9	-	9	\$173,000	\$0	\$173,000	4	-	4	13	-	13	-	-	-	-	-	-	-	-	-	139	-	139
		514	3	517	\$15,522,339	\$1,357,928	\$16,880,267	182	2	184	696	5	701	5	-	5	7	-	-	-	-	7	2,407	32	2,439

Compliance and Enforcement Statistics for Non-Major Facilities with Individual Permits by State for Calendar Year 2014, Non-verified States That Could Not Distinguish Between Category I and Category II Non-Compliance

Region	State	Enforcement Activity																							
		Item 5) Permittees Receiving Formal Enf. Actions for RNC			Item 5a) Penalty Dollars Assessed			Item 5b) Permittees Receiving Administrative Penalty Orders			Item 5c) Permittees Receiving Formal Enf and/or APO			Item 6) Permit Mods. Extending Compliance Deadlines			Item 7) One or More Years Behind Constr. Sched. Deadlines			Item 8) Permittees Receiving Informal Enforcement Actions					
		State	EPA	Total	State	EPA	Total	State	EPA	Total	State	EPA	Total	State	EPA	Total	State	EPA	Total	State	EPA	Total			
4	AL	6	-	6	\$233,300	\$0	\$233,300	5	-	5	11	-	11	-	-	-	-	-	-	-	-	123	-	123	
6	LA	41	-	41	\$312,755	\$0	\$312,755	2	-	2	42	-	42	-	-	-	-	-	3	-	-	3	75	-	75
5	MI	1	-	1	\$20,000	\$0	\$20,000	-	-	-	1	-	1	-	-	-	-	-	6	-	-	6	84	-	84
4	NC	-	3	3	\$123,524	\$0	\$123,524	86	-	86	86	3	89	-	-	-	-	-	-	-	-	-	203	-	203
10	OR	8	-	8	\$35,337	\$0	\$35,337	5	-	5	11	-	11	1	-	1	6	-	-	-	-	6	40	-	40
3	PA	196	-	196	\$706,427	\$0	\$706,427	160	-	160	184	-	184	-	-	-	-	-	-	-	-	-	576	-	576
5	WI	8	-	8	\$292,393	\$0	\$292,393	-	-	-	8	-	8	-	-	-	-	-	2	-	-	2	45	-	45
		260	3	263	\$1,723,736	\$0	\$1,723,736	258	-	258	343	3	346	1	-	1	17	-	-	-	-	17	1,146	-	1,146