

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

Calendar Year 2015

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 2015 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).

The 2015 ANCR report shows that there remain high levels 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 severe 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 required in the recently promulgated NPDES Electronic Reporting Rule (22 October 2015; 80 FR 64064). As shown in this report, States that consistently submit discharge monitoring data to EPA and EPA's ICIS-NPDES system are 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 –32% vs. 13% rates).

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.

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.”

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 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 contains information regarding Category I and Category II noncompliance. Category I noncompliance, as defined in 40 CFR 123.45(a)(2) which includes: 1) reporting violations, 2) compliance construction violations, 3) effluent limit violations, 4) compliance schedule violations, 5) non-numeric effluent limit violations, 6) and repeat violations at the discretion of the state Director or EPA. 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.

What is The Future of the ANCR?

As noted above, 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.

This modernized data collection also means that the ANCR has fulfilled the original intent for paper-based CWA NPDES reporting. The NPDES Noncompliance Report system (NNCR) will replace the ANCR along with the Quarterly Noncompliance Report (QNCR) and semi-annual reports. The type of data collected in the ANCR and NNCR will remain the same while the method of delivery will move from a paper format to an electronic format. EPA will phase in these new requirements over a five-year period.

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. The implementation of the NPDES Electronic Reporting Rule and the availability of electronic data will greatly assist EPA, State, Territories, and Tribes in this effort.

More information on the NPDES electronic reporting rule and implementation schedule is available at <http://www2.epa.gov/compliance/final-national-pollutant-discharge-elimination-system-npdes-electronic-reporting-rule>.

Key National ANCR Findings for Calendar Year 2015 (reflected in Attachments 1 and 2)

- **Universe:** The ANCR universe consisted of 39,494 permitted facilities in calendar year 2015, compared to 40,818 in CY 2014. To put this in perspective, EPA has 507,982 total NPDES permittees of which 19,209 are major facilities with individual permits, 87,920 are non-major facilities with individual permits (ANCR permittees are a subgroup of these), 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 89% of the ANCR permittees in calendar year 2015. This percentage is up slightly from the 87% reviewed in CY 2014, 81% in CY 2013, 83% in CY 2012 and the 82% in CY 2011 and CY 2010. Reviewed means that discharge data or other data were entered into ICIS-NPDES and within ICIS-NPDES were 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) was slightly higher nationally than in any of the previous two calendar years. However, this may be attributable to the fact that, in the ANCR data for CY 2015, 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 data systems, whereas others may only perform an infrequent review of hard-copy discharge monitoring reports. The data suggest that the actual 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 CY2008-2015)

Violation Type	2008	2009	2010	2011	2012	2013	2014	2015
Category I Violation Rate for Verified States	60%	46%	35%	39%	30%	33%	30%	32%
Category I Violation Rate for Non-Verified States	18%	25%	25%	13%	17%	17%	18%	13%
Category I Violation Rate - Overall	26%	28%	29%	28%	24%	21%	19%	23%

- **Overall Noncompliance Rate:** In CY 2015, 39% of the individually-permitted nonmajor

facilities reviewed for compliance were found to be in Category I or Category II noncompliance. That is, of the 35,216 individually-permitted NPDES nonmajor facilities reviewed for compliance, a total of 13,312 were found to be in Category I or Category II noncompliance. For comparison, the overall noncompliance rate in verified states was 43% and 37% in non-verified states.

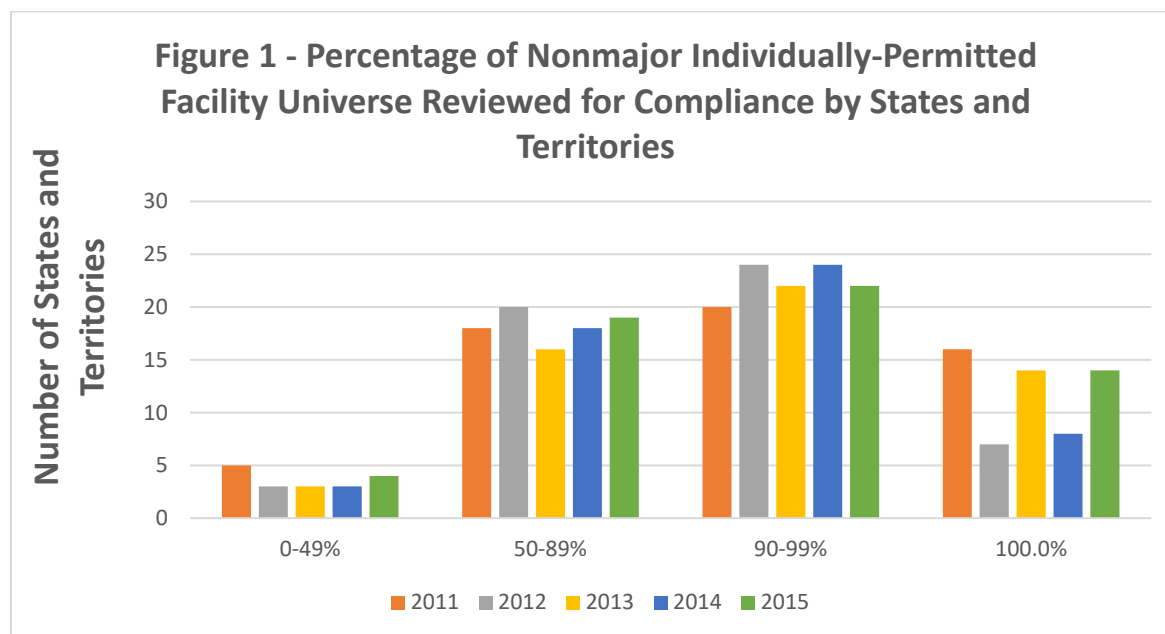
- Formal Enforcement: There were 1,172 formal enforcement actions against ANCR permittees in calendar year 2015; this is a slight decrease from the 1,247 formal enforcement actions taken in CY 2014. For comparison, there were 1,339 formal enforcement actions taken in CY 2013, 1,391 in CY 2012, 1,096 in CY 2011, and 1,631 in CY 2010.
 - The percentage of facilities with formal enforcement compared to facilities with violations was 8.9% in CY 2015, slightly less than CY 2014 (10.8%). For comparison, this figure was 11.1% in CY 2013, 10.8% in 2012, 7.1% in 2011, 11% in CY 2010 and 7.7% in CY 2009.
 - The percentage of facilities with formal enforcement compared to facilities with serious violations was 14.2%, slightly lower than in CY 2014 (18.2%). For comparison, this figure was 20.4% in CY 2013, 16.5% in CY 2012, 11.4% in CY 2011, 16% in CY 2010, and 12.5% in CY 2009. 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 8,021 informal enforcement actions against ANCR permittees in calendar year 2015. This number represents an increase from CY 2014 when there were 6,564 informal enforcement actions issued. For comparison, there were 7,289 in CY 2013, 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 \$13.7 million in penalties assessed in calendar year 2015. For comparison, there was \$22.6 million penalties assessed in CY 2014, \$21.3 million 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 321 permittees were one or more years late meeting their construction schedule deadlines in calendar year 2015, compared to 175 in CY 2014, 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 the 2015 Attachments 1 and 2, or visit the ECHO State Dashboard at <http://echo.epa.gov/trends/comparative-maps-dashboards/state-water-dashboard>.

State Highlights

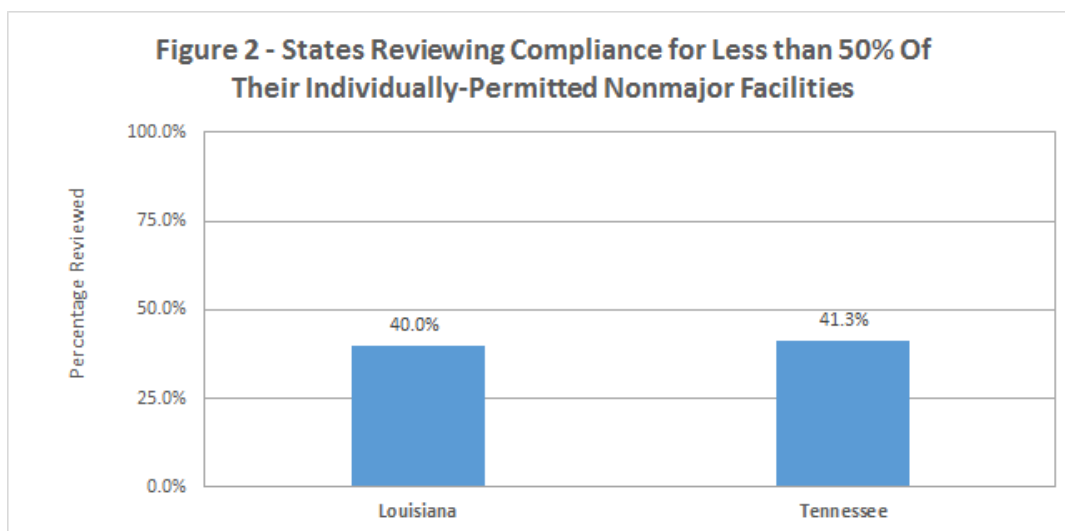
1. Reviewing Permits for Violations

The percentage of permittees reviewed for compliance was 89% in CY 2015. For comparison, the percentage of permittees reviewed for compliance was 87% in CY 2014, 81% in CY 2013, 83% in CY 2012 and 82% in both CY 2011 and CY 2010. Reviewing permittees' effluent reports and other permit conditions is 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

Two states (excluding American Samoa) reported to EPA for calendar year 2015 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 six calendar years (CY 2010-2015). The two 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.



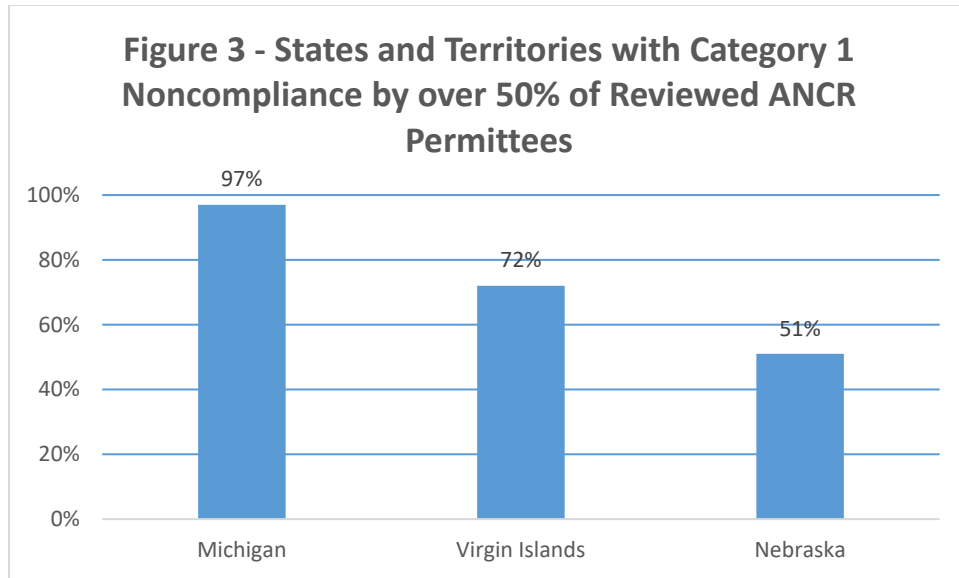
* American Samoa (AS) was not included in this chart because it has fewer than five total ANCR permittees in its universe.

2. Category I (More Serious) Violations in Calendar Year 2015

As indicated previously in Table 1, EPA has noted that the reported Category I violation rates are 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, 36 states and territories 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 2015; 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 data systems, whereas others may only perform an infrequent review of hard-copy discharge monitoring reports. The data suggest that the actual 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 2015, ten states provided ANCR data that did not distinguish between Category I and Category II violations. These states are Alabama, Arizona, Michigan, North Carolina, Oregon, Pennsylvania, South Carolina, Washington, Hawaii, and Wisconsin. When states do not distinguish between Category I and II violation data, it makes it harder to draw conclusions about the severity of violations in those states.

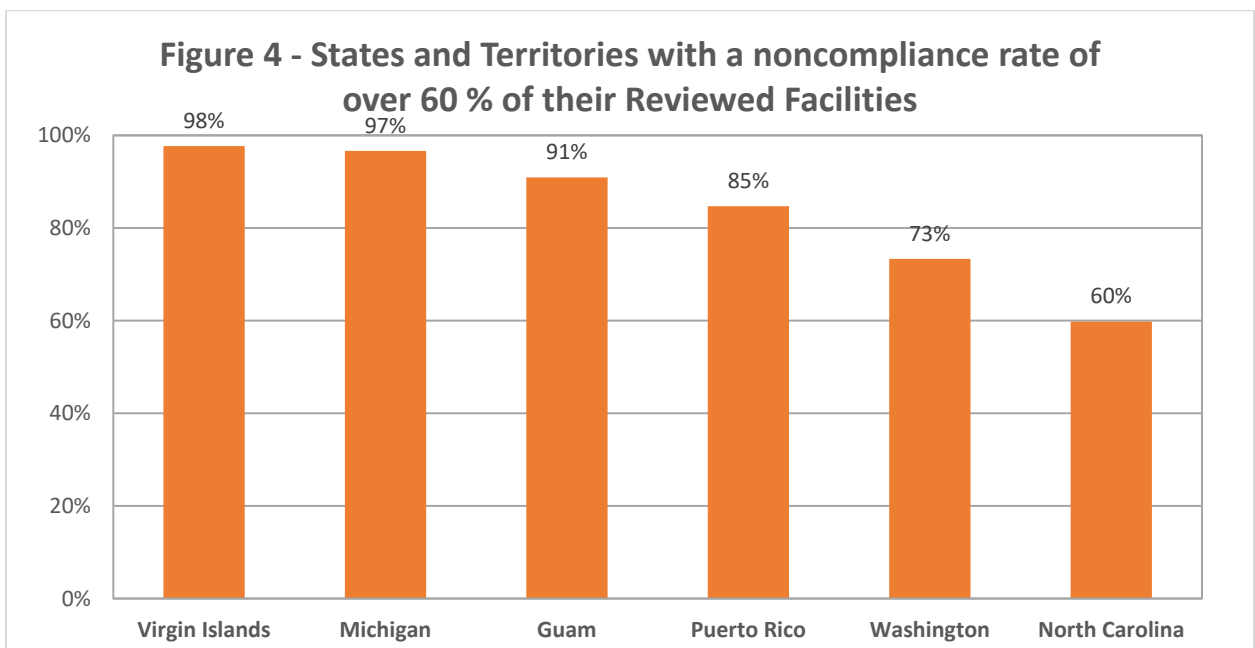
Some states and territories have high Category I noncompliance rates. Excluding territories with less than 5 ANCR permittees, Michigan, Virgin Islands, and Nebraska reported that over 50% of their ANCR reviewed permittees had Category I violations in calendar year 2015 (see Figure 3).



3. Category I or Category II Violations in Calendar Year 2015

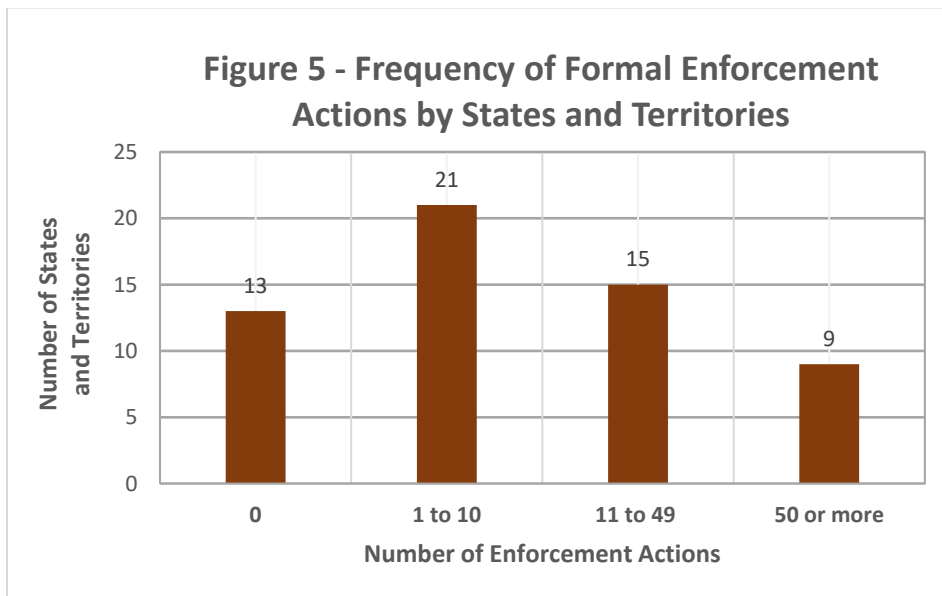
In CY 2015, 38% of the reviewed facilities had Category I violations, Category II violations, or both. Nationally, this percentage was much higher for EPA-issued permits (57%) than for state-issued permits (39%). This difference was also evident in verified states (42%) compared to non-verified states (37%).

In CY 2015, six 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. Nine states, representing 70% of the total number of formal enforcement actions taken in CY 2015, issued 50 or more formal enforcement actions. These states were, from highest number to lowest, West Virginia, Pennsylvania, North Carolina, Texas, Oklahoma, Illinois, Missouri, Louisiana, and California.



5. Penalties

The number and amount of penalties vary substantially among states. Four states assessed one million dollars or more in penalties in calendar year 2015. The states shown below in Figure 6 are successfully assessing penalties well above the levels of most other states. Since 2010, two of these states (California and Texas) assessed penalties of one million dollars or more each year.

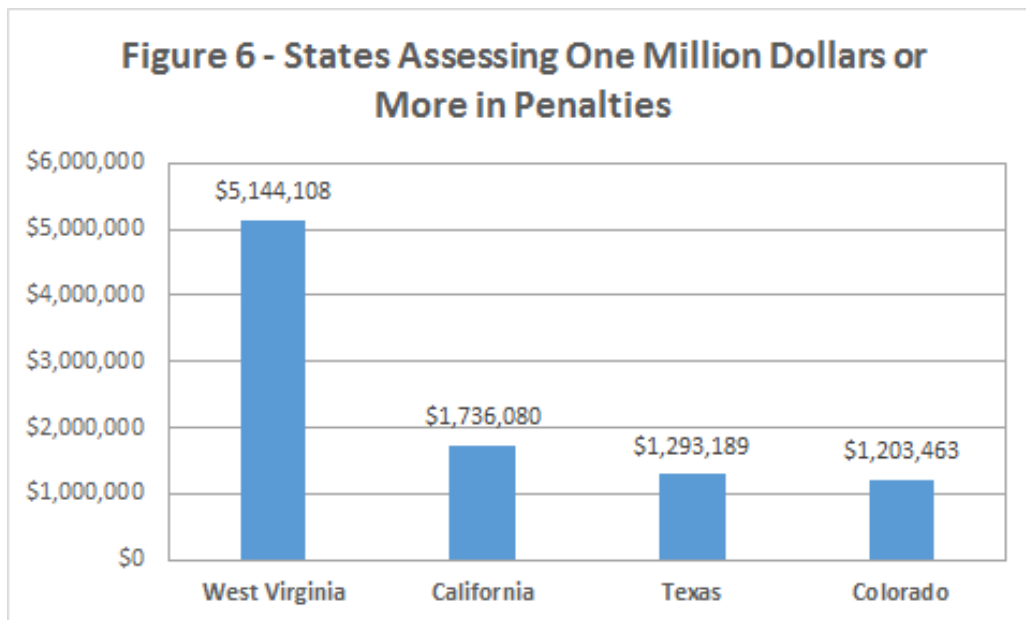
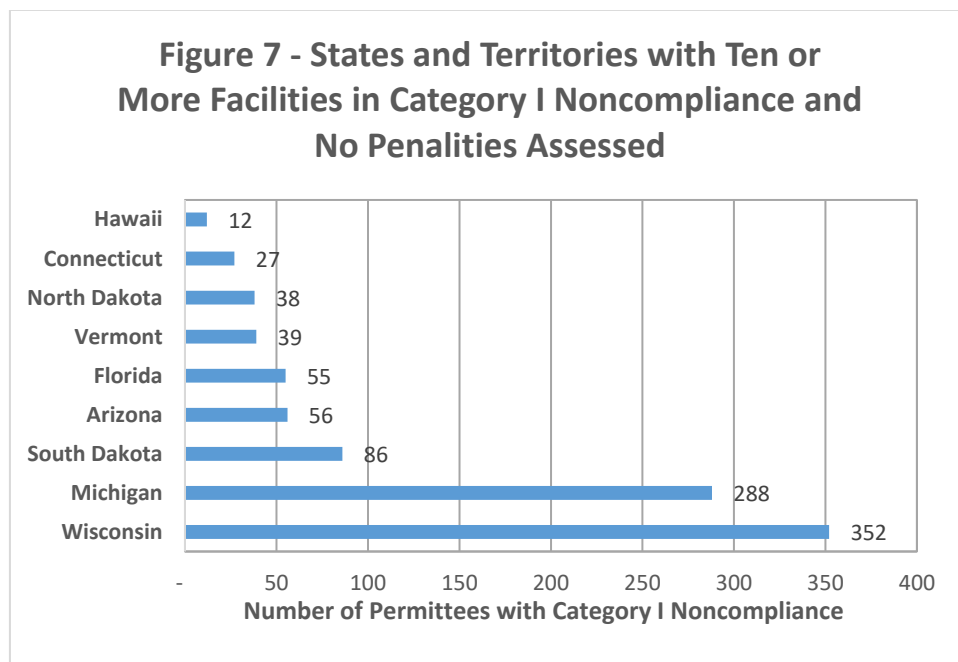
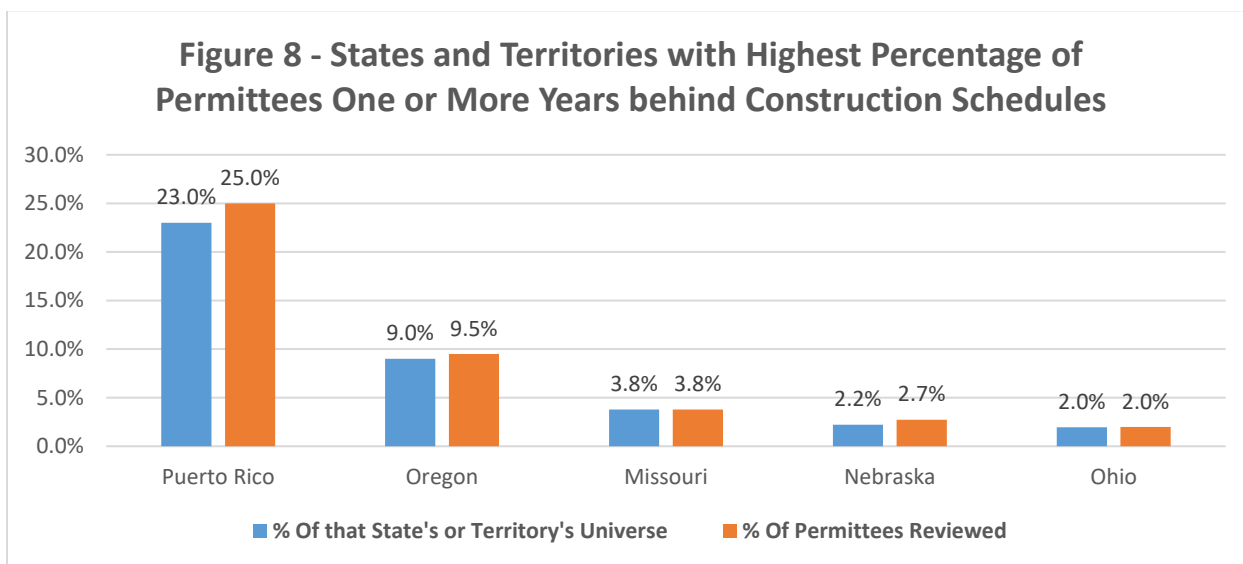


Figure 7 showed states that did not assess a penalty CY 2015 and reported a significant number of Category I noncompliances.



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 five states or territories, 2% or more of ANCR permittees are one or more years behind on construction schedules in calendar year 2015. 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 2015.



6. Conclusion

The ANCR for calendar year 2015 provides valuable information about the compliance status and subsequent enforcement response to the individually-permitted nonmajor facilities regulated by the CWA NPDES. Although nationally, EPA, states and territories reviewed 89% of their ANCR facilities, two (2) states reported that they had reviewed less than 50% of their ANCR permittees. The noncompliance rate for ANCR facilities continues to be high; approximately 32% of the reviewed ANCR permittees in verified states were in Category I noncompliance at some time in the calendar year. Ten states did not distinguish between Category I or Category II violations; this trend should continue to be watched in that it mainly 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. 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. Larger facilities typically require individual permits. For example, individual permits regulate 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 animal feeding operations to receiving waters. Approximately 106,000 permittees have been issued individual NPDES permits. This number includes the 39,494 nonmajor facilities covered in this report, plus 19,000 "major" permittees not addressed 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 500,000 NPDES general permits in use nationwide; EPA issues some, but many were developed and used solely within individual states. These facilities are not included in the ANCR data.

NPDES permits typically require the regulated 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 with 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 may begin with an informal action, but can also 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 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.

Also, information 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 the 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.
 - Currently, states are not required to provide EPA with facility-specific data on self-monitoring, violations, enforcement actions, or penalties for most ANCR permittees.
- The ANCR initially 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 2015 ANCR excludes data from New Jersey. New Jersey does not enter Clean Water Act data in the national data system. EPA is working with New Jersey to migrate historical data to ICIS-NPDES and begin maintenance of required data.

Attachment 1

Compliance and Enforcement Statistics for Non-Major Facilities with Individual Permits by State for Calendar Year 2015; Verified States

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				Item 4a) 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
10	AK	89.5%	35	3		38	32	2		34	89%	8			8	5			5	13	-	-	13	38%
6	AR	98.8%	680	3		683	672	3		675	99%	290	1		291	88	-		88	378	1	-	379	56%
9	AS	0.0%		2		2	-	-		-	0%				-				-		-		-	NA
9	AZ	96.3%	83	13	13	109	83	11	11	105	96%	-	10	10	20	-			-	36	10	10	56	53%
1	CT	89.5%	72	4		76	68			68	89%	18			18	9	25	-	9	25	-	-	25	37%
2	DC	100.0%		6		6		6		6	100%		1		1				-	-	1	-	1	17%
3	DE	86.7%	30			30	26			26	87%	2			2	3	-	-	3	5		-	5	19%
4	FL	96.5%	287	2		289	277	2		279	97%	38	1		39	16			16	54	1	-	55	20%
9	GU	78.6%	-	14		14	-	11		11	79%	-	10		10	-			-	-	10	-	10	91%
7	IA	81.0%	1,501	3		1,504	1,216	2		1,218	81%	469	1		470	168			168	637	1	-	638	52%
10	ID	89.4%	-	132		132	-	118		118	89%	-	34		34	-	25		25	-	59	-	59	50%
5	IL	93.8%	1,288			1,288	1,208			1,208	94%	517			517	163			163	680	-	-	680	56%
5	IN	98.8%	1,371	-		1,371	1,355	-		1,355	99%	268			268	50			50	318	-	-	318	23%
4	KY	94.2%	1,571			1,571	1,480			1,480	94%	651			651	111			111	762	-	-	762	51%
1	MA	93.3%		119		119		111		111	93%		39		39		17		17	-	56	-	56	50%
7	MO	100.0%	2,747			2,747	2,747			2,747	100%	1,026			1,026	46			46	1,072	-	-	1,072	39%
9	MP	50.0%		4		4	-	2		2	50%		1		1				-	-	1	-	1	50%
4	MS	89.1%	1,211	5		1,216	1,079	5		1,084	89%	250	5		255	11			11	261	5	-	266	25%
8	MT	96.3%	129	31		160	123	31		154	96%	38	18		56	12	1		13	50	19	-	69	45%
9	MW	100.0%		1		1	-	1		1	100%		1		1				-	-	1	-	1	100%
7	NE	81.2%	663	13		676	541	8		549	81%	275	7		282	32	1		33	307	8	-	315	57%
1	NH	97.0%		33		33		32		32	97%		5		5		3		3	-	8	-	8	25%
6	NM	95.7%		94		94		90		90	96%		35		35		6		6	-	41	-	41	46%
9	NN	89.3%		28		28	-	25		25	89%		5		5		2		2	-	7	-	7	28%
2	NY	86.8%	1,201			1,201	1,042			1,042	87%	162			162	224			224	386	-	-	386	37%
5	OH	98.2%	3,073			3,073	3,019			3,019	98%	701			701	197			197	898	-	-	898	30%
6	OK	98.4%	366	4		370	360	4		364	98%	103	-		103	27	1		28	130	1	-	131	36%
2	PR	91.8%		171		171		157		157	92%		60		60		73		73	-	133	-	133	85%
1	RI	96.5%	55	2		57	55			55	96%	12			12	4			4	16	-	-	16	29%
4	SC	98.4%	258			258	254			254	98%	-			-	-			-	129	-	-	129	51%
8	SD	100.0%	233	8		241	233	8		241	100%	72	5		77	9	-		9	81	5	-	86	36%
2	SR	100.0%			2	2			2	2	100%			2	2				-	-	-	2	2	100%
6	TX	88.0%	2,135	41		2,176	1,876	39		1,915	88%	814	28		842	185			186	999	29	-	1,028	54%
8	UT	95.4%	85	2		87	81	2		83	95%	34	-		34	6	1		7	40	1	-	41	49%
1	VT	98.7%	155	2		157	155			155	99%	27			27	12			12	39	-	-	39	25%
10	WA	98.7%	348	32		380	348	27		375	99%	-	11		11	-	7		7	257	18	-	275	73%
National		93.5%	19,577	772	15	20,364	18,330	697	13	19,040	93%	5,775	278	12	6,065	1,378	138	-	1,516	7,573	416	12	8,001	42%

Attachment 1

Compliance and Enforcement Statistics for Non-Major Facilities with Individual Permits by State for Calendar Year 2015; Verified States

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	1	1	2	\$171,643		\$171,643	-		-	1	1	2	-	-	-	-	-	-	2		4
6	AR	27	1	28	\$165,125		\$165,125	-	-	-	27	1	28	-	-	-	-	-	-	5	-	5
9	AS			-	\$0		\$0			-	-	-	-			-		1	1			-
9	AZ	5		5	\$0		\$0			-	5	-	5			-			-	16		16
1	CT	1		1		\$0	\$0			-	1	-	1			-			-	5		5
3	DC	-	-	-	\$0	\$0	\$0	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
3	DE	1		1	\$48,000		\$48,000	-		-	1	-	1	-		-	-		-	8		8
4	FL	4		4	\$0		\$0	-		-	4	-	4	-		-	-		-	12		12
9	GU			-	\$0		\$0			-	-	-	-			-			-			-
7	IA	12		12	\$7,500	\$15,000	\$22,500	5		5	12	-	12	11		11	9		9	270		270
10	ID	-	3	3	\$0	\$17,000	\$17,000		2	2	-	3	3			-			-	3		3
5	IL	69	2	71	\$349,018	\$164,698	\$513,715			-	69	2	71			-	15		15	98		98
5	IN			-	\$35,650		\$35,650	14		14	14	-	14			-	5		5	329		329
4	KY	35		35	\$105,750		\$105,750			-	35	-	35	-		-	4		4	307		307
1	MA		1	1		\$90,000	\$90,000		1	1	-	2	2			-			-			-
7	MO	62		62	\$82,736	\$15,000	\$97,736	-		-	62	-	62	-		-	104		104	1,151		1,151
9	MP			-	\$0		\$0			-	-	-	-			-			-			-
4	MS	9		9	\$17,475		\$17,475	-		-	9	-	9	-		-	-		-	325		325
8	MT	17	3	20	\$5,050	\$0	\$5,050	-	-	-	17	3	20	-	-	-	1	-	1	84	-	84
9	MW			-	\$0		\$0			-	-	-	-			-			-			-
7	NE	6		6	\$19,250	\$10,000	\$29,250	2		2	6	-	6	2		2	13	2	15	115		115
1	NH			-			\$0			-	-	-	-			-			-			-
6	NM	-	6	6		\$91,000	\$91,000		2	2	-	8	8		-	-	1	1		82		82
9	NN			-	\$0		\$0			-	-	-	-			-			-			-
2	NY	40		40	\$331,150	\$3,794	\$334,944			-	40	-	40			-	3		3			-
5	OH			-	\$8,000	\$0	\$8,000	1		1	1	-	1			-	60		60	562		562
6	OK	84		84	\$215,500		\$215,500	4		4	69	-	69			-	3		3	10		10
2	PR			-			\$0			-	-	-	-			-		40	40			-
1	RI			-	\$1,750		\$1,750	1		1	1	-	1			-			-	17		17
4	SC	19		19	\$124,405	\$0	\$124,405	-		-	19	-	19	2		2	2		2	76		76
8	SD	-	-	-	\$0	\$0	\$0	-	-	-	-	-	-	2	-	2	1	-	1	97	-	97
2	SR			-			\$0			-	-	-	-			-			-			-
6	TX	116	1	117	\$1,293,189	\$50,000	\$1,343,189	-		-	116	1	117	-	-	-	-	4	4	328		328
8	UT	1	1	2	\$7,000	\$0	\$7,000	-	-	-	1	1	2	-	-	-	-	-	-	2	-	2
1	VT			-			\$0			-	-	-	-			-			-	9		9
10	WA	8	-	8	\$28,261	\$0	\$28,261	1	-	1	8	-	8		-	-			-	119	-	119
	National	517	19	536	\$3,016,452	\$456,492	\$3,472,943	28	5	33	518	22	540	17	-	17	220	48	268	3,947	87	4,034

Attachment 2

Compliance and Enforcement Statistics for Non-Major Facilities with Individual Permits by State for Calendar Year 2015; Non-verified States

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				Item 4a) 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
4	AL	95.5%	1,299	1	-	1,300	1,241			1,241	95%	-			-	-			-	529	-	-	529	43%
9	CA	100.0%	228	5	5	238	228	5	5	238	100%	39	2	2	43	35		-	35	62	2	2	66	28%
8	CO	101.0%	357	31		388	361	31		392	101%	77	8		85	43	-		43	129	8	-	137	35%
4	GA	99.0%	523	1		524	518	1		519	99%	65			65	74			74	139	-	-	139	27%
9	HI	89.7%	29			29	26			26	90%	-			-	-			-	12	-	-	12	46%
7	KS	89.5%	1,035	5		1,040	926	5		931	90%	117	5		122	7			7	124	5	-	129	14%
6	LA	40.0%	1,140	11		1,151	450	10		460	40%	186	1		187	13	2		15	256	3	-	259	56%
3	MD	91.0%	510	3		513	467			467	91%	86			86	58			58	144	-	-	144	31%
1	ME	70.3%	349	1		350	246			246	70%	37			37	28			28	65	-	-	65	26%
5	MI	66.5%	440	8		448	290	8		298	67%	288			288				-	288	-	-	288	97%
5	MN	100.0%	558	20		578	558	20		578	100%	93	5		98	213	6		219	311	11	-	322	56%
4	NC	71.5%	1,245	4		1,249	889	4		893	71%	-	3		3	-			-	531	3	-	534	60%
8	ND	100.0%	78	7		85	78	7		85	100%	29	4		33	5	-		5	34	4	-	38	45%
9	NV	100.0%	88			88	88			88	100%	4			4	-			-	4	-	-	4	5%
10	OR	93.4%	267	4		271	250	3		253	93%	-	3		3	-	-		-	52	3	-	55	22%
3	PA	94.5%	5,146			5,146	4,861			4,861	94%	-			-	211			211	827	-	-	827	17%
4	TN	41.3%	1,140			1,140	471			471	41%	33			33	15			15	48	-	-	48	10%
3	VA	100.0%	758			758	758			758	100%	82			82	221			221	303	-	-	303	40%
2	VI	58.9%	73			73	43			43	59%	31			31	11			11	42	-	-	42	98%
5	WI	100.0%	665	16		681	665	16		681	100%	-	9		9	-	3		3	340	12	-	352	52%
3	WV	81.4%	2,331			2,331	1,898			1,898	81%	917			917	75			75	992	-	-	992	52%
8	WY	100.1%	734	15		749	734	16		750	100%	31	14		45	38	-		38	69	14	-	83	11%
	National	84.6%	18,993	132	5	19,130	16,046	126	5	16,177	85%	2,115	54	2	2,171	1,047	11	-	1,058	5,301	65	2	5,368	33%

Attachment 2

Compliance and Enforcement Statistics for Non-Major Facilities with Individual Permits by State for Calendar Year 2015; Non-verified States

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	7		7	\$79,400		\$79,400	5		5	12	-	12			-			-	147		147
9	CA	29		29	\$1,736,080		\$1,736,080	21		21	29	-	29	2		2	-		-	52		52
8	CO	6	1	7	\$1,203,463	\$12,100	\$1,215,563	4	1	5	10	2	12	-	-	-	2	-	2		-	-
4	GA	40		40	\$76,523		\$76,523	5		5	39	-	39	-		-	-		-	101		101
9	HI	1		1	\$0		\$0	-		-	-	-	-	-		-			-	2		2
7	KS	7		7	\$17,000		\$17,000	3		3	7	-	7	-		-	-	1	1	-		-
6	LA	58		58	\$250,341		\$250,341	2		2	60	-	60	-		-	11	-	11	64		64
3	MD	21		21	\$127,900		\$127,900	17		17	21	-	21	-		-	9		9	-		-
1	ME	2	1	3	\$98,351	\$62,000	\$160,351	1	-	1	3	1	4			-	1		1	28	1	29
5	MI			-			\$0			-	-	-	-			-			-			-
5	MN	27		27	\$83,507		\$83,507	3		3	30	-	30	-		-	2		2	18		18
4	NC	-		-	\$250,290		\$250,290	131		131	131	-	131	-		-	-		-	230		230
8	ND	-	-	-	\$0	\$0	\$0	-	-	-	-	-	-	-	-	-	-	-	-	32	-	32
9	NV	1		1	\$28,500		\$28,500	-		-	1	-	1			-			-			-
10	OR	7	-	7	\$58,949	\$0	\$58,949	11	-	11	18	-	18	2	-	2	24	-	24	52	1	53
3	PA	191		191	\$714,974		\$714,974	141		141	332	-	332	-		-	-		-	545		545
4	TN	2		2	\$11,065	\$9,200	\$20,265	2		2	4	-	4			-			-	14		14
3	VA	9		9	\$73,580		\$73,580	8		8	9	-	9	-		-	2		2	242		242
2	VI	8		8	\$189,242	\$0	\$189,242	1		1	9	-	9			-			-	34		34
5	WI	9	3	12	\$0		\$0	-		-	9	3	12	2		2	1		1	63		63
3	WV	203		203	\$5,144,108		\$5,144,108	69		69	65	-	65	-		-	-		-	2,035		2,035
8	WY	3	-	3	\$6,720	\$0	\$6,720	1	-	1	3	-	3	-	-	-	-	-	-	177	2	179
	National	631	5	636	10,149,993	83,300	10,233,293	425	1	426	792	6	798	6	-	6	52	1	53	3,836	4	3,840