



# **NPDES Noncompliance Report (NNCR) Guide**

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## 1. OVERVIEW

This guide documents information on the U.S. Environmental Protection Agency (EPA) National Pollutant Discharge Elimination System (NPDES) Noncompliance Report (NNCR) to provide regulators with information about NPDES program violations. It describes the type and scope of violations, detection of violations as Category I or II noncompliance, and resolution of the violations.

The NPDES Electronic Reporting Rule (NPDES eRule) (see 22 October 2015; 80 FR 64064) and NPDES eRule Phase 2 Extension Rule (see 2 November 2020; 85 FR 69189) require the electronic reporting and sharing of NPDES program data. EPA used the rulemaking to reorganize noncompliance information,<sup>1</sup> establishing the NNCR as a public inventory of all violations found by EPA or authorized NPDES programs, as well as violations self-reported by NPDES-regulated entities.

Authored by EPA, the NNCR includes quarterly and annual public reports. This includes a complete listing of documented violations at major and nonmajor NPDES facilities for both individual and general permits, and incorporates information related to the violations. The quarterly report is a facility-based view of violations and enforcement activities occurring during the quarter and unresolved historical violations from previous quarters. This includes the category of the violation, violation start and end dates, status of violation, and enforcement actions and penalties taken by EPA or authorized NPDES programs to respond to the violations. The annual report is a summary of inspections; compliance monitoring activities; and enforcement activities within each state, tribe, and territory; as well as a summary of violation information from the four quarterly NNCRs for the federal fiscal year.

The purposes of the NNCR are to:

1. Use a more complete, accurate, timely, consistent, and accessible set of publicly available information to identify and track noncompliance.
2. Improve the ability of authorized NPDES programs and EPA to analyze violations.
3. Ensure the full universe of NPDES violations is considered in compliance and enforcement programs (i.e., violations excluded from the Quarterly Noncompliance Report [QNCR] such as bacteria limitation exceedances, and violations found on eRule Phase 2 program reports).
4. Establish a report to allow authorized state, territory, and tribal NPDES programs and EPA to focus on evaluating the most serious pollution problems and keep pace with changes to the permitting program and new regulatory controls.
5. Reduce the reporting burden on states, tribes, and territories by eliminating the requirements to generate and send noncompliance reports to EPA.

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<sup>1</sup> The NNCR replaced four public noncompliance reports previously required by EPA's regulations but authored by authorized NPDES programs. These were the (1) Quarterly Noncompliance Report (QNCR); (2) Semi-Annual Statistical Summary Report; (3) Annual Noncompliance Report (ANCR); and (4) State Biosolids Noncompliance Report.

The NNCR does not dictate an enforcement response for listed facilities or set criteria for selecting enforcement actions.

EPA and states collaborated to develop this document through the NNCR Technical Workgroup. This workgroup met biweekly from January 2018 to March 2023 and included over 90 subject matter experts, including representatives from three EPA Headquarters offices (Office of Compliance, Office of Civil Enforcement, and Office of Wastewater Management), eight EPA Regions, and 39 states.

EPA will continue to work with stakeholders on updates to this document.

## 2. NNCR DATA SOURCES

EPA produces the NNCR using data reported electronically as required by the NPDES eRule. This document supplies detailed information on how the NNCR identifies and displays noncompliance information from the different data sources. See Table 2-1 for methods EPA and authorized NPDES programs use to gather data and monitor compliance in the NPDES program.

Within the national data system, four types of violations are generated:

1. Effluent exceedance violations
2. Discharge monitoring report (DMR) reporting violations
3. Schedule event violations
4. Single event violations

The system generates effluent exceedance violations and DMR reporting violations based on data reported, or not reported, as required on DMRs. Schedule event violations are system-generated from date-based event milestones in permits or enforcement actions requirements that are late or missing. Single event violations can be violations of Clean Water Act (CWA) requirements documented during an onsite inspection, reported by a facility, determined through another compliance monitoring activity, or generated from a biosolids annual program report. These violations form the NPDES eRule Phase 1 violations.

With full implementation of Phase 2 of the NPDES eRule, other violations will be identified from data reported electronically on concentrated animal feeding operation (CAFO) annual program reports, municipal separate storm sewer system (MS4) program reports, publicly owned treatment works (POTW) pretreatment program annual reports, sewer overflow event reports, and CWA 316(b) annual reports. These violations will be incorporated into the quarterly and annual NNCRs as the program reports are developed but are not currently available.

**Table 2-1. NPDES Compliance Monitoring Methods<sup>a</sup>**

NPDES Data Group Number	NPDES Data Group	Program Area	Data Provider	Minimum Frequency <sup>b</sup>
1	Core NPDES Permitting, Compliance, and Enforcement Data [40 CFR parts 122, 123, 403, 503]	All NPDES Program Sectors	Authorized NPDES Program	Within 40 days of the completed activity or within 40 days of receipt of a report from a regulated entity [see § 127.23(a)(1)].
2	General Permit Reports [40 CFR 122.26(b)(15), 122.28 and 124.5]	All NPDES Program Sectors	NPDES Permittee	Prior to obtaining coverage under a general permit or consideration for permit exclusion or waiver from permitting, and permit coverage termination.
3	Discharge Monitoring Reports [40 CFR 122.41(l)(4)]	Most NPDES Program Sectors	NPDES Permittee	At least annual, more frequent submissions may be required by the permit
4	Sewage Sludge/Biosolids Annual Program Reports [40 CFR part 503]	Sewage Sludge/Biosolids	NPDES Regulated Sewage Sludge/Biosolids Generator and Handler	Annual
5	Concentrated Animal Feeding Operation (CAFO) Annual Program Reports [40 CFR 122.42(e)(4)]	CAFO	CAFO	Annual
6	Municipal Separate Storm Sewer System (MS4) Program Reports [40 CFR 122.34(g)(3) and 122.42(c)]	MS4	NPDES Permittee	Year two and year four of permit coverage (Small MS4), Annual (Medium and Large MS4)
7	Pretreatment Program Reports [40 CFR 403.12(i)]	Pretreatment	POTW Pretreatment Control Authority, Approval Authority for SIUs in Municipalities Without Approved Pretreatment Programs	Annual
8	Significant Industrial User Compliance Reports in Municipalities Without Approved Pretreatment Programs [40 CFR 403.12(e) and (h)]	Pretreatment	Significant Industrial User	Bi-Annual
9	Sewer Overflow Event Reports [40 CFR 122.41(l)(6) and (7)]	Sewer Overflows	NPDES Permittee	Within 5 days of the time the permittee becomes aware of the sewer overflow event (health or environment endangerment), Monitoring report frequency specific in permit (all other sewer overflow events)
10	CWA section 316(b) Annual Reports [40 CFR part 125, subpart J]	CWA section 316(b)	NPDES Permittee	Annual

<sup>a</sup> Entities regulated by a NPDES permit will comply with all reporting requirements in their respective NPDES permit.

<sup>b</sup> The applicable reporting frequency is specified in the NPDES permit or control mechanism, which may be more frequent than the minimum frequency specified in this table.

### 3. QUARTERLY NNCR

The quarterly NNCR is a public list of facilities with violations. For each facility, the quarterly report must include a list of all violations that occurred within the quarter, details about the violations, enforcement actions taken in response to the violations, and any violations from previous quarters that have not been documented as resolved.

For each quarterly NNCR, the regulatory authorities have 45 days from the end of the calendar quarter to update or correct data in EPA's national data systems for events that occurred within the calendar quarter covered by the NNCR. The quarterly report is available to the public within two months after the end of the calendar quarter. See Table 3-1 for quarterly NNCR publication dates.

**Table 3-1. EPA Schedule for Quarterly NNCR**

Calendar Quarter	Publication Date
January, February, March	May 31
April, May, June	August 31
July, August, September	November 30
October, November, December	Last day in February

**Accessing the Report.** The quarterly NNCRs are available through EPA's Enforcement and Compliance History Online (ECHO) website ([echo.epa.gov](http://echo.epa.gov)). To access the reports from the ECHO homepage, select the blue "Search Options" tab. Links to the NNCRs are available within the CWA section.

**Search Criteria.** 40 CFR 123.45 includes a regulatory requirement to provide an easy-to-use interface to facilitate public access, use, and understanding of the NNCR. This includes the ability to sort violations by duration, severity, frequency, detection method, flow and pollutant loadings, type of discharger, waterbody receiving the discharge, proximity to impaired waters, and category of violation. Additional search criteria are available and can be added, as requested, in the future. For the most up-to-date information on the quarterly NNCR search criteria, see <https://echo.epa.gov/help/nncr/nncr-search-criteria-help>.

**Search Results.** A data table displaying all facilities that met the search criteria is returned on the results page. Specific fields are displayed by default and additional data can be added to the data table through the "Customize Columns" feature. Additionally, data displayed in the results table can be exported to a .csv file through the "CSV Download" feature. For the most up-to-date information on the quarterly NNCR search results, see <https://echo.epa.gov/help/nncr/nncr-search-results-help>.

**Violation Statuses.** There are three high-level violations statuses included in the NNCR: Unresolved, Resolved Pending, and Resolved. There are multiple scenarios that result in each



status, as detailed in the various detection and resolution descriptions. This guide organizes this information by violation type.

At a high level, an Unresolved status occurs when the facility has not corrected the violation on its own and the regulatory authority has not entered a formal enforcement action with a compliance schedule to respond to the violations. Examples include DMR reporting violations with no data or a noncompliant no data indicator (NODI) reported, effluent violations where three months of clean DMR data have not been reported, single event violations that have not been linked for formal enforcement with a compliance schedule, and schedule violations for events or reports where no actual date has been reported for the required schedule. Violations with an Unresolved status appear on quarterly NNCRs, even when the violation occurred before the start of the quarter.

A Resolved Pending status occurs when a violation is included in a formal enforcement action with a compliance schedule and the enforcement action has not yet been closed. Violations with a Resolved Pending status appear on quarterly NNCRs, even when the violation occurred before the start of the quarter.

A Resolved status occurs when either the facility or the regulatory authority performed an action to resolve the violation. Examples include DMR reporting violations where numeric data or a compliant NODI is submitted late, effluent violations where three months of clean DMR data has been reported, schedule violations for events or reports that are completed late, or closure of a formal enforcement action with a compliance schedule where the violations are linked to the order. Regulatory authorities may also manually resolve the violations to change the status to Resolved. A violation status of Resolved does not preclude a future enforcement action. Violations with a Resolved status appear on the quarterly NNCR their resolution date falls within but not again on future quarterly reports.

### **3.1 Discharge Monitoring Reports (DMR) Violations**

Under the Clean Water Act, EPA and states, territories, or tribes with authorized NPDES programs issue NPDES permits.<sup>2</sup> These permits often require permittees to sample and analyze their wastewater discharges to surface waters (e.g., lakes, rivers, streams), summarize the results on a DMR form, and submit DMRs to their regulatory authority.

EPA's regulations require authorized NPDES programs to specify the monitoring and reporting requirements in NPDES permits.<sup>3</sup> DMRs must be signed and submitted by the permittee to the regulatory authority by the date specified in the permit.<sup>4</sup> The data reported on the DMR must

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<sup>2</sup> See 33 U.S.C. §1342(b)(1)(B). Authorized NPDES programs may have different schedules for permit applications, but their schedules may be no less stringent than the federal deadlines.

<sup>3</sup> See [40 CFR 122.41(j) and (l)(4)].

<sup>4</sup> See [40 CFR 122.41(k) and (l)(4)].

be timely, accurate, and complete to ensure the facility's compliance status can be correctly identified.

Permittees submit DMRs electronically, either through EPA's NetDMR portal or to their regulated authority's database, which is then transmitted to EPA's Integrated Compliance Information System—National Pollution Discharge Elimination System (ICIS-NPDES) database.

The self-reported DMR values are compared to the effluent limit to determine compliance. Permittees can also be in noncompliance if they do not report the required data. This section supplies information on how the quarterly NNCR details noncompliance related to DMR submissions.

***DMR Reporting Violation.*** When a required DMR value is missing more than 30 days after the due date, the data system creates a DMR reporting violation. This occurs when a required numeric value is missing, or the permittee reported a noncompliant no data indicator (NODI).

A NODI is a unique code and description that indicates the reason no data were reported on the DMR. A NODI can be reported on a DMR when a permittee does not have a numeric DMR value to report for a parameter for an entire monitoring period. Each NODI has an associated validation flag in EPA's data system, which is used to identify which NODIs are considered acceptable or unacceptable reasons for not reporting required data as a numeric value. A compliant NODI does not generate a DMR reporting violation, because the system interprets the NODI as an acceptable reason for not providing the numeric value. A noncompliant NODI does generate a DMR reporting violation, because the system interprets these NODIs as equivalent to a missing numeric DMR value.

DMR reporting violations are uniquely identified by the following group of data:

- NPDES ID
- Permitted feature
- Limit set
- Monitoring period end date
- Parameter
- Monitoring location
- Value type

Details about the technical specification for DMR reporting violations are found on EPA's ServiceNow ICIS, NetDMR, NeT, and ECHO Support Portal.<sup>5</sup>

***Effluent Limit Exceedance Violation.*** When a reported DMR value exceeds its corresponding permit limit, permit modification limit, or enforcement action limit, the data system creates an effluent limit exceedance violation. Effluent limit exceedances are evaluated and detected

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<sup>5</sup> See EPA's ServiceNow ICIS, NetDMR, NeT, and ECHO Support Portal ([https://usepa.servicenowservices.com/oeca\\_icis](https://usepa.servicenowservices.com/oeca_icis)) to download the latest version of "DMR\_Non-Receipt\_Nightly\_v1.4.doc."

differently for permit limits versus enforcement action limits. Permit modification limit exceedances are evaluated by the same criteria as permit limit effluent exceedances. Exceedances of enforcement action limits specified in an enforcement action are detailed in the “Enforcement Action Violations” (Section 3.4). If the permit limit or permit modification limit has a stay, the evaluation of the reported DMR value is with the stay limit value.

Effluent limit exceedance violations are uniquely identified by the following group of data:

- NPDES ID
- Permitted feature
- Limit set
- Monitoring period end date
- Parameter
- Monitoring location
- Value type

Details about the technical specification for effluent limit exceedance violations are found on EPA's ServiceNow ICIS, NetDMR, NeT, and ECHO Support Portal.<sup>6</sup>

### 3.1.1 DMR Reporting Violation – Detection

DMR reporting violations are classified (i.e., detected) as either Category I or Category II noncompliance, depending on the composition of missing DMR values on the DMR form. A DMR form is identified by the unique grouping of required DMR values for a NPDES ID, permitted feature, and monitoring period end date. It does not assess limit sets or monitoring locations separately.

For DMR reporting violations, the criteria for Category I noncompliance are met when a permittee does not report any required values on a DMR form within 30 days after the due date established in the permit, administrative or judicial order, or regulation. If all required DMR values are either missing or reported as noncompliant NODIs 31 days after the due date, the violations satisfy Category I noncompliance criteria. DMR values that do not satisfy this criterion (i.e., not all values are missing) are Category II noncompliance.

***DMR Reporting (Entire) – No Data.*** DMR reporting violations are detected as “DMR Reporting (Entire) – No Data” when all required DMR values on a DMR form are missing or reported as noncompliant NODIs 31 days after the DMR due date and the DMR value is not reported as a noncompliant NODI (i.e., no data submitted). These violations are classified as Category I noncompliance and the detection dates are set to 31 days after the DMR due date.

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<sup>6</sup> See EPA's ServiceNow ICIS, NetDMR, NeT, and ECHO Support Portal ([https://usepa.servicenowservices.com/oeca\\_icis](https://usepa.servicenowservices.com/oeca_icis)) to download the latest version of “Effluent\_Violation\_Processing.doc.”

Note: If all values are missing 31 days after DMR due date but are later report as a numeric value or NODI (e.g., 60 days late), the violations are still detected as “DMR Reporting (Entire) – No Data” for not having all missing values 31 days after the DMR due date.

***DMR Reporting (Entire) – NODI.*** DMR reporting violations are detected as “DMR Reporting (Entire) – NODI” when all required DMR values on a DMR form are missing or reported as noncompliant NODIs 31 days after the DMR due date and the DMR value is reported as a noncompliant NODI. These violations are classified as Category I noncompliance and the detection dates are set to 31 days after the DMR due date.

***DMR Reporting (Partial) – No Data.***<sup>7</sup> DMR reporting violations are detected as “DMR Reporting (Partial) – No Data” when less than all required DMR values on a DMR form are missing or reported as noncompliant NODIs 31 days after the DMR due date and the DMR value is not reported as a noncompliant NODI (i.e., no data submitted). These violations are classified as Category II noncompliance and the detection dates are set to 31 days after the DMR due date.

***DMR Reporting (Partial) – NODI.***<sup>7</sup> DMR reporting violations are detected as “DMR Reporting (Partial) – NODI” when less than all required DMR values on a DMR form are missing or reported as noncompliant NODIs more than 30 days after the DMR due date and the DMR value is reported as a noncompliant NODI. These violations are classified as Category II noncompliance and the detection dates are set to 31 days after the DMR due date.

### 3.1.2 DMR Reporting – Resolution

***Submitted Report or Completed Event.*** DMR reporting violations are Resolved as “Submitted Reported or Completed Event” when the missing DMR value or compliant NODI is later reported. The resolution date is set to the DMR Value Received Date.

***System Administratively Resolved.***<sup>8</sup> DMR reporting violations are Resolved as “System Administratively Resolved” once the current date is more than one year after the DMR reporting violation’s detection date if the violation has not previously been resolved for another reason. The resolution date is set to one year after the violation’s detection date. If the DMR data is reported more than one year after the detection date, the violation’s resolution remains “System Administratively Resolved” because it resolved the violation first.

***Resolved Pending – Manual.*** DMR reporting violations are Resolved Pending as “Resolved Pending – Manual” when the violation’s status was manually updated by a regulatory authority to Resolved Pending. This applies to reportable noncompliance (RNC) resolution codes 7 and 8. Manual updates take precedence over system-generated resolutions, even if the system-

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<sup>7</sup> See 40 CFR 123.45(a)(2)(vii).

<sup>8</sup> See “1 yr for DMR NR resolution memo and attachment.pdf” at [https://usepa.servicenowservices.com/sys\\_attachment.do?sys\\_id=ba88b7e11b60759cfd044262f54bcb3c&sysparm\\_viewer\\_table=kb\\_knowledge&sysparm\\_viewer\\_id=e567bf651b20759cfd044262f54bcb2e](https://usepa.servicenowservices.com/sys_attachment.do?sys_id=ba88b7e11b60759cfd044262f54bcb3c&sysparm_viewer_table=kb_knowledge&sysparm_viewer_id=e567bf651b20759cfd044262f54bcb2e).

generated resolution would have resolved the violation at an earlier date. The resolution date is set to the date reported by the regulatory authority.

***Resolved – Manual.*** DMR reporting violations are Resolved as “Resolved – Manual” when the violation’s status was manually updated by a regulatory authority to Resolved. This applies to RNC resolution codes 6, 9, and B. Manual resolutions take precedence over system-generated resolutions, even if the system-generated resolution would have resolved the violation at an earlier date. The resolution date is set to date reported by the regulatory authority.

***Permit Terminated.*** DMR reporting violations are Resolved as “Permit Terminated” when a permit has been terminated and the violation has not been resolved for another reason. The resolution date is the permit’s termination date.

### 3.1.3 Permit Limit Effluent Exceedance – Detection

Effluent exceedance violations are classified (i.e., detected) as either Category I noncompliance or Category II noncompliance, depending on the magnitude and/or frequency of the violations. For permit limit exceedance violations, the conditions for Category I noncompliance are defined as violations of effluent permit limits that exceed the “Criteria for Noncompliance Reporting in the NPDES Program” in Appendix A to §123.45. Appendix A establishes two types of Category I effluent violations of monthly average permit limits for Group I and Group II pollutants. These are 1) magnitude and frequency and 2) chronic. Effluent violations that do not satisfy the criteria for Category I are classified as Category II.

***Effluent – Magnitude Monthly Average.*** Effluent exceedance violations are detected as “Effluent – Magnitude Monthly Average” when the monthly average permit effluent limits exceed or are equal to the Technical Review Criteria (TRC) multiplied by the effluent limit and occur in two or more months during a six-month review period. The TRC is determined by multiplying the permit limit value by 1.4 for Group 1 pollutants and 1.2 for Group 2 pollutants. The counts of months are based on the month of the DMR monitoring period end date. These violations are classified as Category I noncompliance and are evaluated on a permitted feature/parameter/monitoring location/statistical base limit type basis. The detection date is set to the six-month review period end date.

A parameter can have multiple monthly average permit limit value types (e.g., quantity value and concentration value) for a monitoring period and they are not evaluated separately. For example, a 50 percent exceedance of monthly average *concentration* limit in month 1 of the six-month review period and a 55 percent exceedance of a monthly average *quantity* limit in month 5 of the six-month review period satisfy TRC criteria and both violations are detected as “Effluent – Magnitude Monthly Average.”

If two monthly average exceedances occur in a single month’s DMR and both satisfy TRC criteria, the month is only counted once towards the monthly average TRC exceedance occurrences during the six-month review period. If effluent violations are present for both

monthly average limits and only one satisfies TRC criteria, the exceedance that does not satisfy TRC criteria is detected as “Effluent – Monthly Average.”

***Effluent – Chronic Monthly Average.*** Effluent exceedance violations are detected as “Effluent – Chronic Monthly Average” when monthly average effluent limits are exceeded by any amount in any four or more months during the six-month review period. These criteria apply to all Group I and Group II pollutants. The counts of months are based on the month of the DMR monitoring period end date. These violations are classified as Category I noncompliance and are evaluated on a permitted feature/parameter/monitoring location/statistical base limit type basis. The detection date is set to the six-month review period end date.

A parameter can have multiple monthly average permit limit value types (e.g., quantity value and concentration value) for a monitoring period and they are not evaluated separately. If four months have effluent exceedance violations and one exceeds the TRC threshold, the parameter has satisfied the “Effluent – Chronic Monthly Average” criteria.

If multiple monthly average violations are present for a month and all satisfy the chronic criteria, all are detected for the chronic criteria, but that month is only counted once towards monthly average chronic occurrences for the six-month review period.

***Effluent – Monthly Average.*** Effluent exceedance violations are detected as “Effluent – Monthly Average” when monthly average permit effluent limits do not satisfy “Effluent – Magnitude Monthly Average” or “Effluent – Chronic Monthly Average” criteria. These violations are classified as Category II noncompliance and the detection date is set to the six-month review period end date.

***Effluent – Magnitude Non-Monthly Average.*** Effluent exceedance violations are detected as “Effluent – Magnitude Non-Monthly Average” when non-monthly average permit effluent limits exceed or are equal to TRC multiplied by the effluent limit and occur in two or more months during the six-month review period. The TRC is determined by multiplying the permit limit value by 1.4 for Group 1 pollutants and 1.2 for Group 2 pollutants. Counts of months are based on the month of the DMR monitoring period end date. These violations are classified as Category II noncompliance and are evaluated on a permitted feature/parameter/monitoring location/statistical base limit type basis. The detection date is set to the six-month review period end date.

**Caveat:** When a parameter has both a monthly average and a non-monthly average limit, effluent violations are only evaluated for these criteria if the monthly average has a numeric limit and is also exceeded to some degree during the same month. This caveat does not apply if the monthly average has monitoring-only requirements.

A parameter can have multiple non-monthly average limit value types (e.g., quantity value(s) and concentration value(s)) for a monitoring period and they are not evaluated separately. If one DMR value exceeds its limit value and exceeds the TRC threshold, the parameter has satisfied the non-monthly average TRC for the month. If two non-monthly average TRC

violations are present for a single month's DMR and both satisfy TRC criteria, that month is only counted once towards the monthly average TRC occurrences during the six-month review period. If effluent violations are present for both non-monthly average limits and only one satisfies TRC criteria, the one that does not satisfy TRC criteria is detected with "Effluent – Non-Monthly Average."

***Effluent – Chronic Non-Monthly Average.*** Effluent exceedance violations are detected as "Effluent – Chronic Non-Monthly Average" when non-monthly average effluent limits are exceeded by any amount in any four or more months during the six-month review period. These criteria apply to all Group I and Group II pollutants. Counts of months are based on the month of the DMR monitoring period end date. These violations are classified as Category II noncompliance and are evaluated on a permitted feature/parameter/monitoring location/statistical base limit type basis. The detection date is set to the six-month review period end date.

Caveat: When a parameter has both a monthly average and a non-monthly average limit, effluent violations are only evaluated for these criteria if monthly average has a numeric limit and is also exceeded to some degree during the same month. This does not apply if the monthly average has monitoring-only requirements.

A parameter can have multiple non-monthly average limit value types (e.g., quantity value and concentration value) for a monitoring period and they are not evaluated separately. If four months have effluent exceedance violations and one exceeds the TRC threshold, the parameter has satisfied the "Chronic Non-Monthly Average" criteria. If two non-monthly average violations are present for a month and both satisfy chronic criteria, both are detected for chronic, but that month is only counted once towards non-monthly average chronic occurrences for that period.

***Effluent – Non-Monthly Average.*** Effluent exceedance violations are detected as "Effluent – Non-Monthly Average" when the effluent exceedance violations of non-monthly average permit effluent limits do not satisfy "Effluent – Magnitude Non-Monthly Average" or "Effluent – Chronic Non-Monthly Average" criteria. These violations are classified as Category II noncompliance and the detection date is set to the six-month review period end date.

***Effluent – Minimum.*** Effluent exceedance violations are detected as "Effluent – Minimum" when there is an effluent exceedance violation of a minimum limit (e.g., a reported DMR value less than the minimum permit limit). These violations are classified as Category II noncompliance and the detection date is set to the six-month review period end date.

***Category I – Manual.*** Effluent exceedance violations are detected as "Category I – Manual" when a violation's detection has been manually updated to a regulatory authority to Category I. This applies to RNC detection codes B, G, I, J, X, Y, and Z. Manual updates take precedence over system-generated detections. These violations are classified as Category I noncompliance and the detection date is set to the date reported by the regulatory authority.

### 3.1.4 Permit Limit Effluent Exceedance – Resolution

***Effluent – 3 Months Clean.*** Effluent exceedance violations are Resolved as “Effluent – 3 Months Clean” when the permitted feature, parameter, monitoring location, and statistical base limit type (e.g., monthly average) have not had any effluent or DMR reporting violations in the last three months of the six-month review period and numeric DMR data or NODI B or Q is reported. This includes unresolved violations from within and before the six-month review period.

This resolution is an automated method to resolve effluent limit exceedance violations after the facility submits three months of compliant DMR data. Either through an improved process, new technology, or another mechanism besides enforcement, this resolution indicates that the facility has made a change so the DMR values for the pollutant have been consistently under the limit requirements and the facility appears to be back in compliance on its own.

The DMRs do not satisfy the criteria if a NODI is reported (excluding NODI B and Q), monitoring data is not required, or DMR non-receipt tracking is off during the last three months of the six-month review period. The counts of months are based on the month of the DMR monitoring period end date. The resolution date is set to the end date of the six-month review period.

If a violation was resolved during a previous evaluation and remains resolved in the current evaluation, the system does not update the resolution information.

***Resolved Pending – Manual.*** Effluent exceedance violations are Resolved Pending as “Resolved Pending – Manual” when a violation's resolution has been manually updated by a regulatory authority to Resolved Pending. This applies to RNC resolution codes 7 and 8. Manual updates take precedence over system-generated resolutions, even if the system-generated resolution would have resolved the violation at an earlier date. The resolution date is set to the date reported by the regulatory authority.

***Resolved – Manual.*** Effluent exceedance violations are Resolved as “Resolved – Manual” when a violation's resolution has been manually updated by a regulatory authority to Resolved. This applies to RNC resolution codes 6, 9, and B. Manual resolutions take precedence over system-generated resolutions, even if the system-generated resolution would have resolved the violation at an earlier date. The resolution date is set to the date reported by the regulatory authority.

***Permit Terminated.*** Effluent exceedance violations are Resolved as “Permit Terminated” when a permit has been terminated and the violation has not been resolved for another reason. The resolution date is the permit's termination date.

## 3.2 Permit Schedule Event or Report Violations

EPA and states may require NPDES-regulated entities to submit supplementary reports as a narrative condition in a permit or a permit schedule of compliance. The authorized NPDES



program determines the due date for these activities to take place in the NPDES permit. The NPDES eRule requires authorized NPDES programs to share these schedules with EPA's NPDES data system.

Four violations can be generated for each permit schedule report or schedule event:

1. Reported late violation (C10)
2. Achieved late violation (C20)
3. Unachieved but reported (C30)
4. Unachieved and not reported (C40)

While a single schedule event or report may have up to four violations generated within the data system, the NNCR only displays one violation detection and/or resolution per event. Details about the technical specification for DMR reporting violations are found on EPA's ServiceNow ICIS, NetDMR, NeT, and ECHO Support Portal.<sup>9</sup>

### 3.2.1 Permit Schedule Event or Report – Detection

Schedule violations are classified (i.e., detected) as either Category I noncompliance or Category II noncompliance, depending on the required event and the length of time it is overdue. For permit schedule *report* violations, the conditions for Category I noncompliance are defined as failure to submit a final compliance schedule process report or program report within 30 days after the date established in a permit or regulation. For permit schedule *event* violations, the conditions for Category I noncompliance are defined as failure to start construction, complete construction, or achieve final compliance within 90 days after the date established in a permit or regulation. Any violations that do not satisfy the criteria for Category I are classified as Category II.

***Permit Schedule Report 30 – I.*** Permit schedule violations are detected as “Permit Schedule Report 30 – I” when a Category I report is 31 or more days late. This is when either the current date is 31 or more days after the schedule date and the actual date has not been reported, or the actual date has been reported and is 31 or more days after the schedule date. These violations are classified as Category I noncompliance and the detection date is set to 31 days after the schedule event date.

Category I schedule reports are identified in the reference table named REF\_SCHEDULE\_EVENT where the field SCHEDULE\_EVENT\_TYPE\_FLAG is equal to R (schedule report) and the field SCHEDULE\_RNC\_CATEGORY is equal to 1 (Category I).

***Permit Schedule Report – II.*** Permit schedule violations are detected as “Permit Schedule Report – II” when a Category I report is less than 31 days late or the report is a Category II report. For Category I events, this includes when an actual date has been reported and is less

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<sup>9</sup> See EPA's ServiceNow ICIS, NetDMR, NeT, and ECHO Support Portal ([https://usepa.servicenowservices.com/oeca\\_icis](https://usepa.servicenowservices.com/oeca_icis)) to download the latest version of “Schedule\_Violation\_Processing\_v1.3.doc.”

than 31 after the schedule date. These violations are classified as Category II noncompliance and the detection date is set to the schedule date.

Schedule reports are identified in the reference table named REF\_SCHEDULE\_EVENT where the field SCHEDULE\_EVENT\_TYPE\_FLAG is equal to R (schedule report) and the field SCHEDULE\_RNC\_CATEGORY is equal to 1 for Category I reports or 2 for Category II reports.

**Permit Schedule Event 90 – I.** Permit schedule violations are detected as “Permit Schedule Event 90 – I” when a Category I event is 91 or more days late. This is when either the current date is 91 or more days after the schedule date and the actual date has not been reported, or the actual date has been reported and is 91 or more days after the schedule date. These violations are classified as Category I noncompliance and the detection date is set to 91 days after the schedule date.

Category I schedule events are identified in the reference table named REF\_SCHEDULE\_EVENT where the field SCHEDULE\_EVENT\_TYPE\_FLAG is equal to S (schedule event) and the field SCHEDULE\_RNC\_CATEGORY is equal to 1 (Category I).

**Permit Schedule Event – II.** Permit schedule violations are detected as “Permit Schedule Event – II” when a Category I event is less than 91 days late or the event is a Category II event. For Category I events, this includes when the current date is less than 91 days after the schedule date and the actual date has not been reported or when an actual date has been reported and is less than 91 days after the schedule date. These violations are classified as Category II noncompliance and the detection date is set to the schedule date.

Schedule events are identified in the reference table named REF\_SCHEDULE\_EVENT where the field SCHEDULE\_EVENT\_TYPE\_FLAG is equal to S (schedule event) and the field SCHEDULE\_RNC\_CATEGORY is equal to 1 for Category I reports or 2 for Category II reports.

**Permit Schedule Reported Late.** Permit schedule violations are detected as “Permit Schedule Reported Late” when the only violation associated with the permit schedule is a late reporting violation, which applies to both events and reports. Permit schedules have a 14-day reporting requirement (see 40 CFR 122.41 and 122.47). The reporting requirement is to report the status, regardless of the required event or report being accomplished. These violations are classified as Category II noncompliance and the violation start date and detection date are set to the schedule date +14 days. The violation end date and resolution date are set to the report received date.

### 3.2.2 Permit Schedule Event or Report – Resolution

**Submitted Report or Completed Event.** Permit schedule violations are Resolved as “Submitted Reported or Completed Event” when the actual date or report received date has been reported. Permit schedule violations detected as “Permit Schedule Reported Late” have a resolution date set to the report received date and all other permit schedule violations has a resolution date set to the actual date.

**Permit Terminated.** Permit schedule violations are Resolved as “Permit Terminated” when a permit has been terminated and the violation has not been resolved for another reason. The resolution date is the permit’s termination date.

### 3.3 Other Violations: Compliance Monitoring or Program Report Violations

Single event violations (SEVs) are a catchall for all violations that are not DMR reporting, effluent exceedances, or schedule violations. Within the NNCR, these are referred to collectively as “Other Violations” or by their associated NPDES program (e.g., base program, biosolids, pretreatment). These violations include manually identified violations, such as those identified during an inspection or record review, and self-reported violations automatically generated from electronic program reports.

With full implementation of Phase 2 of the NPDES eRule, other violations are identified from data reported electronically on CAFO annual program reports, MS4 program reports, POTW pretreatment program annual reports, sewer overflow event reports, and CWA 316(b) annual reports. These violations will be incorporated into the quarterly and annual NNCRs as the program reports are developed but are not currently available.

#### 3.3.1 Other Violation – Detection

**Other Violation – I.** SEVs are detected as “Other Violation – I” when an SEV has been designated as a Category I violation for base program and biosolids violations. For the list of SEVs designated as Category I noncompliance, see the NNCR Violation Reference Table (.csv) available at <https://echo.epa.gov/help/nncr/nncr-search-results-help#reference>. These violations are classified as Category I noncompliance and the detection date is set to the date the data was most recently updated.

**Other Violation – II.** SEVs are detected as “Other Violation – II” when an SEV has been designated as a Category II violation for base program and biosolids violations. For the list of SEVs designated as Category II noncompliance, see the NNCR Violation Reference Table (.csv) available at <https://echo.epa.gov/help/nncr/nncr-search-results-help#reference>. These violations are classified as Category II noncompliance and the detection date is set to the date the data was most recently updated.

**Category I – Manual.** SEVs are detected as “Category I – Manual” when a violation's detection has been manually updated by a regulatory authority to Category I. This applies to RNC detection codes B, G, I, J, X, Y, and Z. Manual updates take precedence over system-generated detections. These violations are classified as Category I noncompliance and the resolution date is set to the date reported by the regulatory authority.

**Category II – Manual.** SEVs are detected as “Category II – Manual” when a violation's detection has been manually updated by a regulatory authority to Category II. This applies to RNC detection codes D, E, F, Q, and W. Manual updates take precedence over system-generated

detections. These violations are classified as Category II noncompliance and the resolution date is set to the date reported by the regulatory authority.

### 3.3.2 Other Violation – Resolution

***Unresolved – Manual.*** SEVs are Unresolved as “Unresolved – Manual” when a violation's resolution has been manually updated by a regulatory authority to Unresolved. This applies to RNC resolution code 1. Manual updates take precedence over system-generated resolutions, except for SEVs that are linked to a formal enforcement non-penalty final order or a state-issue enforcement action with the final order type “Administrative Penalty Order With or Without Injunctive Relief” that includes a compliance schedule. For more information on violations linked to enforcement, see “Violations Linked to Formal Enforcement Actions” (Section 3.5). No resolution date applies to this status.

***Resolved Pending – Manual.*** SEVs are Resolved Pending as “Resolved Pending – Manual” when a violation's resolution has been manually updated by a regulatory authority to Resolved Pending. This applies to RNC resolution codes 7 and 8. Manual updates take precedence over system-generated resolutions, even if the system-generated resolution would have resolved the violation at an earlier date. The resolution date is set to the date reported by the regulatory authority.

***Resolved – Manual.*** SEVs are Resolved as “Resolved – Manual” when a violation's resolution has been manually updated by a regulatory authority to Resolved. This applies to RNC resolution codes 6, 9, and B. Manual resolutions take precedence over system-generated resolutions, even if the system-generated resolution would have resolved the violation at an earlier date. The resolution date is set to the date reported by the regulatory authority.

***Permit Terminated.*** SEVs are Resolved as “Permit Terminated” when a permit has been terminated and the violation has not been resolved for another reason. The resolution date is the permit's termination date.

## 3.4 Enforcement Action Violations

Enforcement actions can contain relaxed effluent limits with which the facility is expected to comply during the enforcement action's active time frame. These are sometimes referred to as interim limits. These limits are temporarily higher while the facility conducts improvements and upgrades its system to enable compliance with final effluent limits. For enforcement action effluent limits, the criteria for Category I noncompliance are any violation (exceedance) of the enforcement action limit. This criterion is established in §123.45(a)(2)(i).

A facility may also be required to submit supplementary reports or confirmation of completed events as a requirement of an enforcement action. The authorized NPDES program determines the due date for these activities within the enforcement action, similar to permit narrative conditions or schedules of compliance. The NPDES eRule requires authorized NPDES programs to share these schedules with EPA's NPDES data system.

Four violations can be generated for each compliance schedule report or schedule event:

1. Reported late violation (C10)
2. Achieved late violation (C20)
3. Unachieved but reported (C30)
4. Unachieved and not reported (C40)

While a single schedule event or report may have up to four violations generated within the data system, the NNCR only displays one violation detection and/or resolution per event. Details about the technical specification for DMR reporting violations are found on EPA's ServiceNow ICIS, NetDMR, NeT, and ECHO Support Portal.<sup>10</sup>

### 3.4.1 Enforcement Limit Effluent Exceedance – Detection

***Effluent – Enforcement.*** Effluent exceedance violations of enforcement limits are detected as “Effluent – Enforcement” when a DMR monitoring period end date falls between the enforcement action limit begin date and the enforcement action limit end date or Final Order NPDES Closed Date, whichever occurs first, and there is a reported DMR exceedance of the enforcement limit. This applies to all parameters and statistical base types and does not depend on the magnitude or frequency of the violations. These violations are classified as Category I noncompliance and the detection date is set to the DMR monitoring period end date.

***Category I – Manual.*** Effluent exceedance violations of enforcement limits are detected as “Category I – Manual” when a violation's detection has been manually updated by a regulatory authority to Category I. This applies to RNC detection codes B, G, I, J, X, Y, and Z. Manual updates take precedence over system-generated detections. The resolution date is set to the date reported by the regulatory authority.

### 3.4.2 Enforcement Limit Effluent Exceedance – Resolution

***Effluent – 3 Months Clean.*** Effluent exceedance violations are Resolved as “Effluent – 3 Months Clean” when the permitted feature, parameter, monitoring location, and statistical base limit type (e.g., monthly average) have not had any effluent or DMR reporting violations in the last three months of the six-month review period and numeric DMR data or NODI B or Q is reported. This includes unresolved violations from within and before the six-month review period.

This resolution is an automated method to resolve effluent limit exceedance violations after the facility submits three months of compliant DMR data. Either through an improved process, new technology, or another mechanism besides enforcement, this resolution indicates that the

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<sup>10</sup> See EPA's ServiceNow ICIS, NetDMR, NeT, and ECHO Support Portal ([https://usepa.servicenowservices.com/oeca\\_icis](https://usepa.servicenowservices.com/oeca_icis)) to download the latest version of “Schedule\_Violation\_Processing\_v1.3.doc.”

facility has made a change so the DMR values for the pollutant have been consistently under the limit requirements and the facility appears to be back in compliance on its own.

The DMRs do not satisfy the criteria if a NODI is reported (excluding NODI B and Q), monitoring data is not required, or DMR non-receipt tracking is off during the last three months of the six-month review period. The counts of months are based on the month of the DMR monitoring period end date. The resolution date is set to the end date of the six-month review period.

If a violation was resolved during a previous evaluation and remains resolved in the current evaluation, the system does not update the resolution information.

***Resolved Pending – Manual.*** Effluent exceedance violations are Resolved Pending as “Resolved Pending – Manual” when a violation's resolution has been manually updated by a regulatory authority to Resolved Pending. This applies to RNC resolution codes 7 and 8. Manual updates take precedence over system-generated resolutions, even if the system-generated resolution would have resolved the violation at an earlier date. The resolution date is set to the date reported by the regulatory authority.

***Resolved – Manual.*** Effluent exceedance violations are Resolved as “Resolved – Manual” when a violation's resolution has been manually updated by a regulatory authority to Resolved. This applies to RNC resolution codes 6, 9, and B. Manual resolutions take precedence over system-generated resolutions, even if the system-generated resolution would have resolved the violation at an earlier date. The resolution date is set to the date reported by the regulatory authority.

***Permit Terminated.*** Effluent exceedance violations are Resolved as “Permit Terminated” when a permit has been terminated and the violation has not been resolved for another reason. The resolution date is the permit’s termination date.

### 3.4.3 Compliance Schedule Event or Report – Detection

***Compliance Schedule Report 30 – I.*** Compliance schedule violations are detected as “Compliance Schedule Report 30 – I” when a Category I report is 31 or more days late. This is when either the current date is 31 or more days after the schedule date and the actual date has not been reported, or the actual date has been reported and is 31 or more days after the schedule date. These violations are classified as Category I noncompliance and the detection date is set to 31 days after the schedule event date.

Category I schedule reports are identified in the reference table named REF\_SCHEDULE\_EVENT where the field SCHEDULE\_EVENT\_TYPE\_FLAG is equal to R (schedule report) and the field SCHEDULE\_RNC\_CATEGORY is equal to 1 (Category I).

***Compliance Schedule Report – II.*** Compliance Schedule violations are detected as “Compliance Schedule Report – II” when a Category I report is less than 31 days late or the report is a Category II report. For Category I events, this includes when an actual date has been reported

and is less than 31 after the schedule date. These violations are classified as Category II noncompliance and the detection date is set to the schedule date.

Schedule reports are identified in the reference table named REF\_SCHEDULE\_EVENT where the field SCHEDULE\_EVENT\_TYPE\_FLAG is equal to R (schedule report) and the field SCHEDULE\_RNC\_CATEGORY is equal to 1 for Category I reports or 2 for Category II reports.

**Compliance Schedule Event 90 – I.** Compliance schedule violations are detected as “Compliance Schedule Event 90 – I” when a Category I event is 91 or more days late. This is when either the current date is 91 or more days after the schedule date and the actual date has not been reported, or the actual date has been reported and is 91 or more days after the schedule date. These violations are classified as Category I noncompliance and the detection date is set to 91 days after the schedule date.

Category I schedule events are identified in the reference table named REF\_SCHEDULE\_EVENT where the field SCHEDULE\_EVENT\_TYPE\_FLAG is equal to S (schedule event) and the field SCHEDULE\_RNC\_CATEGORY is equal to 1 (Category I).

**Compliance Schedule Event – II.** Compliance schedule violations are detected as “Compliance Schedule Event – II” when a Category I event is less than 91 days late or the event is a Category II event. For Category I events, this includes when the current date is less than 91 days after the schedule date and the actual date has not been reported or when an actual date has been reported and is less than 91 days after the schedule date. These violations are classified as Category II noncompliance and the detection date is set to the schedule date.

Schedule events are identified in the reference table named REF\_SCHEDULE\_EVENT where the field SCHEDULE\_EVENT\_TYPE\_FLAG is equal to S (schedule event) and the field SCHEDULE\_RNC\_CATEGORY is equal to 1 for Category I reports or 2 for Category II reports.

#### 3.4.4 Compliance Schedule Event or Report – Resolution

**Submitted Report or Completed Event.** Compliance schedule violations are Resolved as “Submitted Reported or Completed Event” once the actual date has been reported. The resolution date is set to the actual date.

**Permit Terminated.** Compliance schedule violations are Resolved as “Permit Terminated” when a permit has been terminated and the violation has not been resolved for another reason. The resolution date is the permit’s termination date.

### 3.5 Violations Linked to Formal Enforcement Actions

If a facility is in compliance with a formal enforcement action, the violation’s status can change from Unresolved to Resolved Pending. This applies when the violation is linked to a formal enforcement non-penalty final order or a state-issued enforcement action with the final order type “Administrative Penalty Order With or Without Injunctive Relief” that includes a

compliance schedule.<sup>11</sup> The Resolved Pending status is an interim status before the violation is Resolved, often when the enforcement action has been closed, or sooner if the facility has come back into compliance on its own. The facility continues to be listed on the quarterly NNCR until the violations have been documented as Resolved.

For each violation linked to the formal enforcement action final order, the violation's status changes depending on when the violation occurred relative to milestones in the enforcement action. For administrative orders, the important date is the Final Order Issued Date, and for judicial orders, the important date is the Final Order Entered Date.

### 3.5.1 Violations Linked to Enforcement Actions – Resolved Pending

**Formal Enforcement with Compliance Schedule.** Violations are Resolved Pending as “Formal Enforcement with Compliance Schedule” when they have been linked to a formal enforcement non-penalty final order or a state-issue enforcement action with the final order type “Administrative Penalty Order With or Without Injunctive Relief” that includes a compliance schedule and the final order has a blank NPDES Closed Date. The criteria to link violations to the final order varies by violation type and the resolution (Resolved Pending) date varies, depending on when the violation occurred. The details for each violation type are below.

Note: If an enforcement action has been closed because it is superseded by another enforcement action, the violation statuses does not update to Resolved Pending status.<sup>12</sup>

If the violation's detection date is *before* the Final Order Issued/Entered Date, the Resolved Pending date is set to the Final Order Issued Date. If the violation's detection date is *after* the Final Order Issued/Entered Date, the Resolved Pending date is set to the detection date.

Requirements to Link Violations to a Final Order in EPA's Data System”

- DMR Violation (effluent exceedance and DMR reporting)
  - If the violation date is *before* the Final Order Issued/Entered Date, any DMR violation can be linked to the Final Order.
  - If the violation date is *after* the Final Order Issued/Entered Date, violations with the same NPDES ID, Permitted Feature ID, Limit Set Designator, Parameter Code, Monitoring Location Code, and Season ID that occurred *before* the Final Order Issued Date must also be linked before the later violations can be linked to the Final Order.
  - The violation date for a DMR is the monitoring period end date for both effluent violations and DMR reporting violations.
- Schedule Violation
  - The violation date must be before the Final Order Issued/Entered Date.

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<sup>11</sup> See [https://usepa.servicenowservices.com/oeca\\_icis?id=kb\\_article&sys\\_id=053e642b1b076d540a81202de54bcbb2](https://usepa.servicenowservices.com/oeca_icis?id=kb_article&sys_id=053e642b1b076d540a81202de54bcbb2).

<sup>12</sup> See [https://usepa.servicenowservices.com/oeca\\_icis?id=kb\\_article&sys\\_id=236dbb0f1b07e154fd044262f54bcb17](https://usepa.servicenowservices.com/oeca_icis?id=kb_article&sys_id=236dbb0f1b07e154fd044262f54bcb17).



- The violation date for a schedule violation is the schedule due date, or the schedule date.
- Single Event Violation
  - The violation date must be before the Final Order Issued/Entered Date.
  - The violation date for a single event violation is the Single Event Violation Start Date.

### 3.5.2 Violations Linked to Enforcement Actions – Resolution

When violations are linked to a formal enforcement non-penalty final order, or when a state-issued enforcement action with the final order type “Administrative Penalty Order With or Without Injunctive Relief” that includes a compliance schedule is closed (i.e., the Final Order has a NPDES Closed Date), the violation’s status changes from Resolved Pending to Resolved. Once the violation is resolved, the violation appears on the quarterly NNCR as Resolved and the facility does not appear on subsequent quarterly reports if it has no new violations.

***Closure of Formal Enforcement.*** Violations are resolved as “Closure of Formal Enforcement” when violations linked to the formal enforcement non-penalty final order or a state-issued enforcement action with the final order type “Administrative Penalty Order With or Without Injunctive Relief” that includes a compliance schedule has been closed.

If the violation’s detection date is *before* the NPDES Closed Date, the resolution date is set to the NPDES Closed Date. If the violation’s detection date is *after* the NPDES Closed Date, the Resolved Pending date is set to the detection date.

**Note:** If the enforcement action final order resolution type is “Superseded by Another Enforcement Action,” the violations are not resolved, even if there is an enforcement action closed date.<sup>13</sup>

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<sup>13</sup> See [https://usepa.servicenowservices.com/oeca\\_icis?id=kb\\_article&sys\\_id=236dbb0f1b07e154fd044262f54bcb17](https://usepa.servicenowservices.com/oeca_icis?id=kb_article&sys_id=236dbb0f1b07e154fd044262f54bcb17).

## 4. ANNUAL NNCR

The annual NNCR is a public report in dashboard format that provides summary compliance monitoring and enforcement activities within each state, tribe, and territory, as well as summary information on violations included in the four quarterly NNCRs for the federal fiscal year. The federal fiscal year runs from October 1 to September 30. EPA must publish the annual report no later than March 1 of the following year.

Starting with 2021, data for the federal fiscal years are presented to show multi-year trends. Data included in the report represent the most up-to-date available, but data displayed before the March 1 public release deadline are considered preliminary.

The annual NNCR includes summary data for the following universes:

- Individually permitted NPDES-regulated entities that contain permit effluent limits and require submission of DMRs (individual).
- All other NPDES-regulated entities (non-individual).
- CWA point sources with unauthorized discharge(s) of pollutants to U.S. waters (unpermitted facilities).
- Combined total of the three universes listed above.

For each universe, the annual NNCR includes the total number of entities with:

- NPDES permits
- Evaluations from onsite inspections
- Evaluations from other offsite compliance monitoring activities
- Reviews of permit effluent limits and reported DMR data to identify violations
- Any violations (Category I and II)
- Category I violations
- Written (paper or electronic) informal enforcement activities
- Formal enforcement actions with a compliance schedule
- Penalty assessment, including the total amount of penalties assessed
- Permit modifications extending compliance deadlines more than one year<sup>14</sup>

**Accessing the Report.** The quarterly NNCRs are available through EPA’s ECHO website (echo.epa.gov). To access the report from the ECHO homepage, select the blue “Search Options” tab. Links to the NNCRs are available in the CWA section.

On the dashboard, metrics are available to view nationally or by state, tribe, or territory. Displays are available in counts or percentages. Use the “Details” tables to view the underlying data or download the data to analyze outside the dashboard.

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<sup>14</sup> Data not collected within EPA’s national data system and metric are not available in the annual NNCR.

For the most up-to-date information on the report, see <https://echo.epa.gov/help/nncr/nncr-annual-report-help>.

## 4.1 Permit Universes

Counts permits by permit group (individual, non-individual, or unpermitted).

**Individual.** Individual permits on the report are defined as the individually permitted NPDES-regulated entities that contain permit effluent limits and require submission of DMRs. This includes permits that are active during the federal fiscal year, have an individual permit type, and have a NPDES Data Group of G3A or G3B (DMR with Regular [G3A] or Irregular [G3B] Submission Frequency). A permit is considered active if it has a first effective date on or before the last day of the federal fiscal year or a termination date after the last day of the federal fiscal year.

**Non-Individual.** Non-individual permits on the report are defined as all other NPDES-regulated entities that are not individually permitted, as described above. This includes permits that are active during the federal fiscal year; have an individual permit type but not a NPDES Data Group of G3A or G3B (DMR with Regular [G3A] or Irregular [G3B] Submission Frequency); or have a general, individual IU, or associated permit record permit type. A permit is considered active if it has a first effective date on or before the last day of the federal fiscal year or a termination date after the last day of the federal fiscal year.

**Unpermitted.** Unpermitted facilities are defined as CWA point sources that had unauthorized discharges of pollutants to waters of the U.S. This includes permits where the permit type is unpermitted and had a violation, informal enforcement action, or new or ongoing formal enforcement action during the year. New or ongoing formal enforcement actions during the year include those with a Final Order Issue/Entered Date during the federal fiscal year, a Final Order NPDES Closed Date that is blank by the end of the federal fiscal year, or a Final Order NPDES Closed Date during the federal fiscal year.

Permits excluded from the report are those with:

- Permit type of State Issued Master General Permit (Non-NPDES), Individual State Issued Permit (Non-NPDES), or Master General Permit.
- Permit type of Unpermitted and no associated activity during the year.
- Permit status of Terminated, Pending, Denied, Not Needed, or Retired, and no associated activity during the year.
- NPDES data group G2C (No Exposure Certification [NOE]) or G2D (Low Erosivity Waiver or Other Waiver from Stormwater Controls [LEW]) and no associated activity during the year, as these facilities have waivers rather than NPDES permits.
- A first effective date that falls after the current date.

## 4.2 Compliance Monitoring Activities

Counts permits with onsite or offsite compliance monitoring activities in the permit universe.

Onsite compliance monitoring activities include:

- AFD: AFO Defined
- AFN: AFO Designation
- AU1: Audit
- AU2: Audit (IU) (considered onsite unless POTW has no approved pretreatment program)
- CBI: Biomonitoring
- CEI: Evaluation
- CE2: Evaluation (IU)
- DIA: Diagnostic
- FOC: Focused
- FLP: Follow-Up
- OPM: Operation and Maintenance
- OVS: Oversight
- PIU: Non-Sampling
- PSI: Sampling (IU)
- ROS: Reconnaissance without Sampling
- RWS: Reconnaissance with Sampling
- SA1: Sampling
- TX1: Toxics
- TX2: Toxics (IU)

Offsite compliance monitoring activities include:

- AU2: Audit (considered offsite if POTW has no approved pretreatment program)
- DSA: Desk Audit

## 4.3 Discharge Monitoring Report (DMR) Reporters

Counts DMR reporters, which includes permits with NPDES Data Group G3A or G3B (DMR with Regular [G3A] or Irregular [G3B] Submission Frequency) in the permit universe.

## 4.4 Violations

Counts permits with Category I or II violations during the fiscal year, as included in the quarterly NNCRs. This includes effluent exceedance violations with a violation end date during the fiscal year and DMR reporting, schedule, and other (SEV) violations with a violation start or end date within the fiscal year. If a violation has no end date and the violation start date is on or after the first day of the fiscal year, it is included as a violation during the fiscal year. If a permit had both

Category I and II violations during the fiscal year, it is only designated for Category I noncompliance to avoid double-counting.

#### 4.5 Informal Enforcement<sup>15</sup>

Counts permits with informal enforcement actions in the permit universe.

Informal enforcement actions include:

- LOVWL: Letter of Violation/Warning Letter
- NOV: Notice of Violation
- NONC: Notice of Noncompliance Issued

#### 4.6 Formal Enforcement<sup>15</sup>

Counts permits with formal enforcement actions in the permit universe. Enforcement actions are categorized as those with compliance schedules and those without compliance schedules.

Formal enforcement actions include:

- CIV: Civil Judicial Action
- EOGOV: Emergency Order – Governor
- OSUSREV: Order of Suspension or Revocation
- SCWAAO: State CWA Non Penalty Administrative Order
- SCWAAPO: State CWA Penalty AO
- STAOCO: State Administrative Order of Consent

#### 4.7 Penalty Assessment

Counts permits with formal enforcement actions with a total penalty assessed greater than zero in the permit universe and total penalties assessed in the permit universe.

#### 4.8 Permit Modifications

This metric is not included in the annual report because this data is not collected within EPA's national data system but may be available in the future.

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<sup>15</sup> For EPA's definition of informal and formal enforcement, see <https://www.epa.gov/system/files/documents/2023-01/newdefinitionsforkeyterms-epaenforcementprogramtools.pdf>.

## 5. KNOWN DATA ISSUES

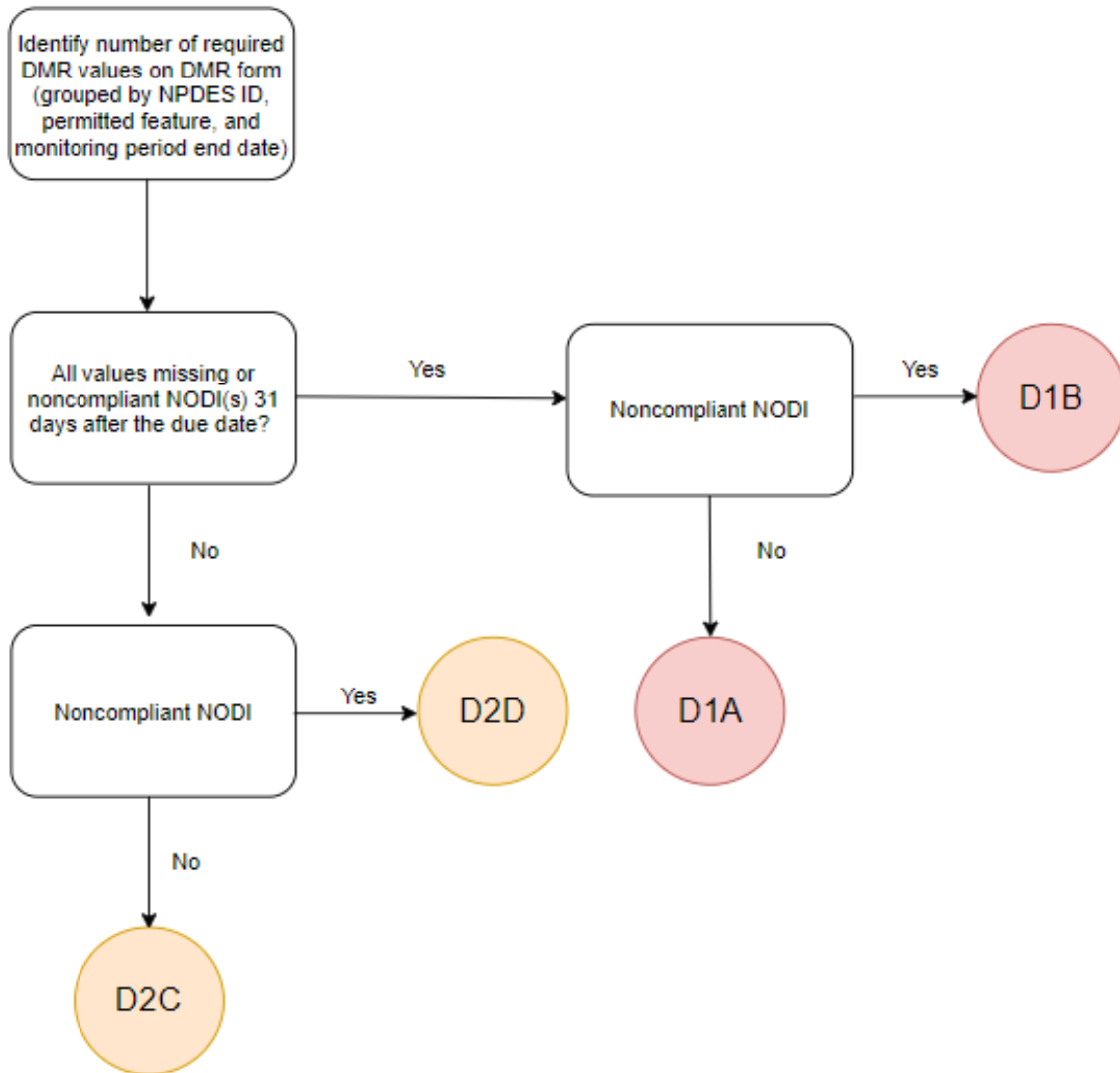
1. For general ECHO known data problems, see <https://echo.epa.gov/resources/echo-data/known-data-problems>.
2. Inability to confirm correct detections for DMR reporting violations where toxicity parameters are reported to the data system under a different permitted feature than non-toxicity parameters (e.g., 001 and TX1). The evaluation for an entire DMR form missing is based on the permitted feature number and situations where all DMR values for a permitted feature are not reported under the same permitted feature. Correct evaluation for an entire or partial DMR form missing must be confirmed manually.
  - a. Detection Codes/Descriptions Affected:
    - i. DMR Reporting (Entire) – No Data
    - ii. DMR Reporting (Entire) – NODI
    - iii. DMR Reporting (Partial) – No Data
    - iv. DMR Reporting (Partial) – NODI
3. For fiscal year 2021 Q1, there are instances where an effluent exceedance violation can have a detection date after the resolution date. For example, an effluent violation with a monitoring period end date in October 2020 has a detection date of 12/31/20. If the same violation is linked to a formal enforcement action with a compliance schedule that has a NPDES Closed Date in November 2020, this results in a resolution before the detection date. This issue is specific to violations included in the quarterly NNCR for FY 2021 Q1.

# APPENDICES

## APPENDIX A. DMR REPORTING – DETECTION EXAMPLES

Figure A-1. DMR Reporting Detection Flow Chart

For each overdue DMR violation (D80/D90), follow the steps below to determine the violation detection code and order the violations are evaluated:



Code	Description	Category
D1A	DMR Reporting (Entire) – No Data	I
D1B	DMR Reporting (Entire) – NODI	I
D2C	DMR Reporting (Partial) – No Data	II
D2D	DMR Reporting (Partial) – NODI	II



Figure A-2. Detection Code D1A: DMR Reporting (Entire) – No Data: Example 1

Permit Number: DC1234567  
 Discharge Number: 001 – A  
 Monitoring Location: 1 - Effluent Gross  
 Monitoring Period End Date: 1/31/2020

Parameter	Quantity		Concentration		
	Q1	Q2	C1	C2	C3
Parameter 1	D1A				D1A
Parameter 2	D1A				D1A
Parameter 3	D1A				D1A
Parameter 4	D1A				D1A
Parameter 5	D1A				D1A

**Data Reported**

No Data

Noncompliant NODI

Numeric Value/Compliant NODI

Code	Description	Category
D1A	DMR Reporting (Entire) – No Data	I
D1B	DMR Reporting (Entire) – NODI	I
D2C	DMR Reporting (Partial) – No Data	II
D2D	DMR Reporting (Partial) – NODI	II

**Reasoning**

- All required DMR values on the DMR form are missing 31 days after the DMR due date and all DMR reporting violations are from missing data.

Figure A-3. Detection Code D1A: DMR Reporting (Entire) – No Data: Example 2

Permit Number: DC1234567  
 Discharge Number: 001 – A  
 Monitoring Location: 1 - Effluent Gross  
 Monitoring Period End Date: 1/31/2020

Parameter	Quantity		Concentration		
	Q1	Q2	C1	C2	C3
Parameter 1				D1A	

**Data Reported**

No Data

Noncompliant NODI

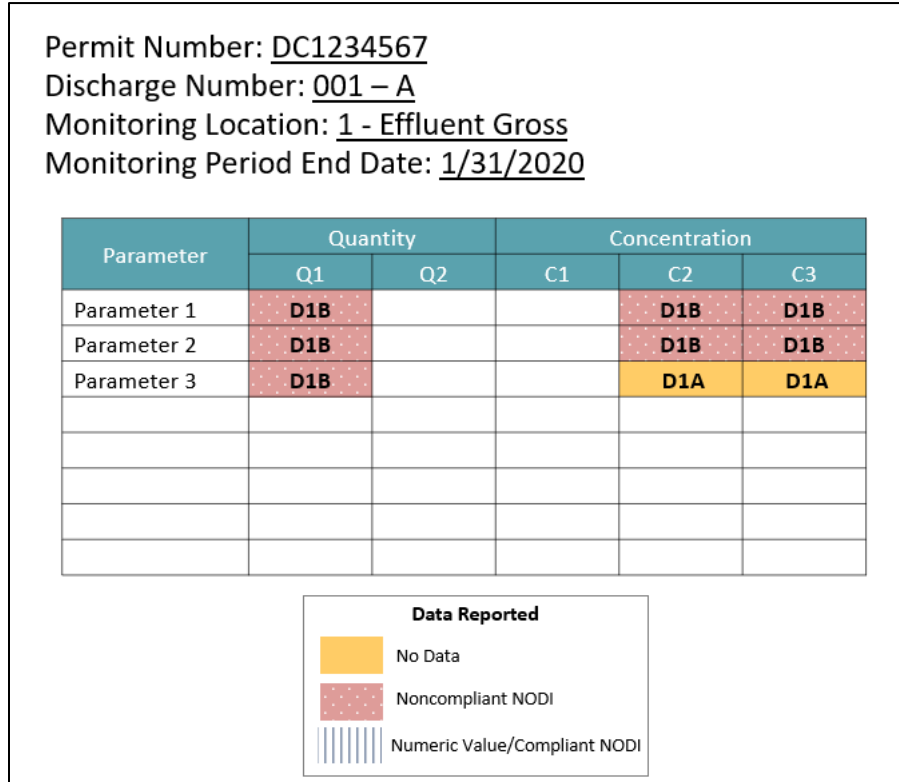
Numeric Value/Compliant NODI

Code	Description	Category
D1A	DMR Reporting (Entire) – No Data	I
D1B	DMR Reporting (Entire) – NODI	I
D2C	DMR Reporting (Partial) – No Data	II
D2D	DMR Reporting (Partial) – NODI	II

**Reasoning**

- All required DMR values on the DMR form are missing 31 days after the DMR due date and all DMR reporting violations are from missing data.
- A DMR form can be one DMR value if that satisfies requirements for the permitted feature number and monitoring period.

Figure A-4. Detection Code D1B: DMR Reporting (Entire) – NODI: Example 1



Code	Description	Category
D1A	DMR Reporting (Entire) – No Data	I
D1B	DMR Reporting (Entire) – NODI	I
D2C	DMR Reporting (Partial) – No Data	II
D2D	DMR Reporting (Partial) – NODI	II

**Reasoning**

- All required DMR values on the DMR form are missing or reported as noncompliant NODIs 31 days after the DMR due date.
- DMRs with missing values are detected with the NNCR detection description “DMR Reporting (Entire) – No Data” and DMRs reported as noncompliant NODIs are detected with the NNCR detection description “DMR Reporting (Entire) – NODI.”

Figure A-5. Detection Code D2C: DMR Reporting (Partial) – No Data: Example 1

Permit Number: DC1234567  
 Discharge Number: 001 – A  
 Monitoring Location: 1 - Effluent Gross  
 Monitoring Period End Date: 1/31/2020

Parameter	Quantity		Concentration		
	Q1	Q2	C1	C2	C3
Parameter 1					
Parameter 2	D2C			D2C	
Parameter 3	D2C			D2C	
Parameter 4	D2C			D2C	

**Data Reported**

No Data

Noncompliant NODI

Numeric Value/Compliant NODI

Code	Description	Category
D1A	DMR Reporting (Entire) – No Data	I
D1B	DMR Reporting (Entire) – NODI	I
D2C	DMR Reporting (Partial) – No Data	II
D2D	DMR Reporting (Partial) – NODI	II

**Reasoning**

- Less than all required DMR values on the DMR form are missing 31 days after the DMR due date.
- DMRs with missing values are detected with the NNCR detection description “DMR Reporting (Partial) – No Data.”

Figure A-6. Detection Code D2D: DMR Reporting (Partial) – NODI: Example 1

Permit Number: DC1234567  
 Discharge Number: 001 – A  
 Monitoring Location: 1 - Effluent Gross  
 Monitoring Period End Date: 1/31/2020

Parameter	Quantity		Concentration		
	Q1	Q2	C1	C2	C3
Parameter 1					
Parameter 2	D2D			D2D	
Parameter 3	D2D			D2C	

**Data Reported**

No Data

Noncompliant NODI

Numeric Value/Compliant NODI

Code	Description	Category
D1A	DMR Reporting (Entire) – No Data	I
D1B	DMR Reporting (Entire) – NODI	I
D2C	DMR Reporting (Partial) – No Data	II
D2D	DMR Reporting (Partial) – NODI	II

**Reasoning**

- Less than all required DMR values on the DMR form are missing 31 days after the DMR due date.
- DMRs with missing values are detected with the NNCR detection description “DMR Reporting (Partial) – No Data” and DMRs with noncompliant NODIs report are detected with the NNCR detection description “DMR Reporting (Partial) – NODI.”

Figure A-7. Detection Code D2D: DMR Reporting (Partial) – NODI: Example 2

Permit Number: DC1234567  
 Discharge Number: 001 – A  
 Monitoring Location: 1 - Effluent Gross  
 Monitoring Period End Date: 1/31/2020

Parameter	Quantity		Concentration		
	Q1	Q2	C1	C2	C3
Parameter 1					
Parameter 2	D2D			D2D	
Parameter 3	D2D			D2D	

Permit Number: DC1234567  
 Discharge Number: 001 – B  
 Monitoring Location: 1 - Effluent Gross  
 Monitoring Period End Date: 1/31/2020

Parameter	Quantity		Concentration		
	Q1	Q2	C1	C2	C3
Parameter 1	D2C				D2C
Parameter 2	D2C				D2C

Code	Description	Category
D1A	DMR Reporting (Entire) – No Data	I
D1B	DMR Reporting (Entire) – NODI	I
D2C	DMR Reporting (Partial) – No Data	II
D2D	DMR Reporting (Partial) – NODI	II

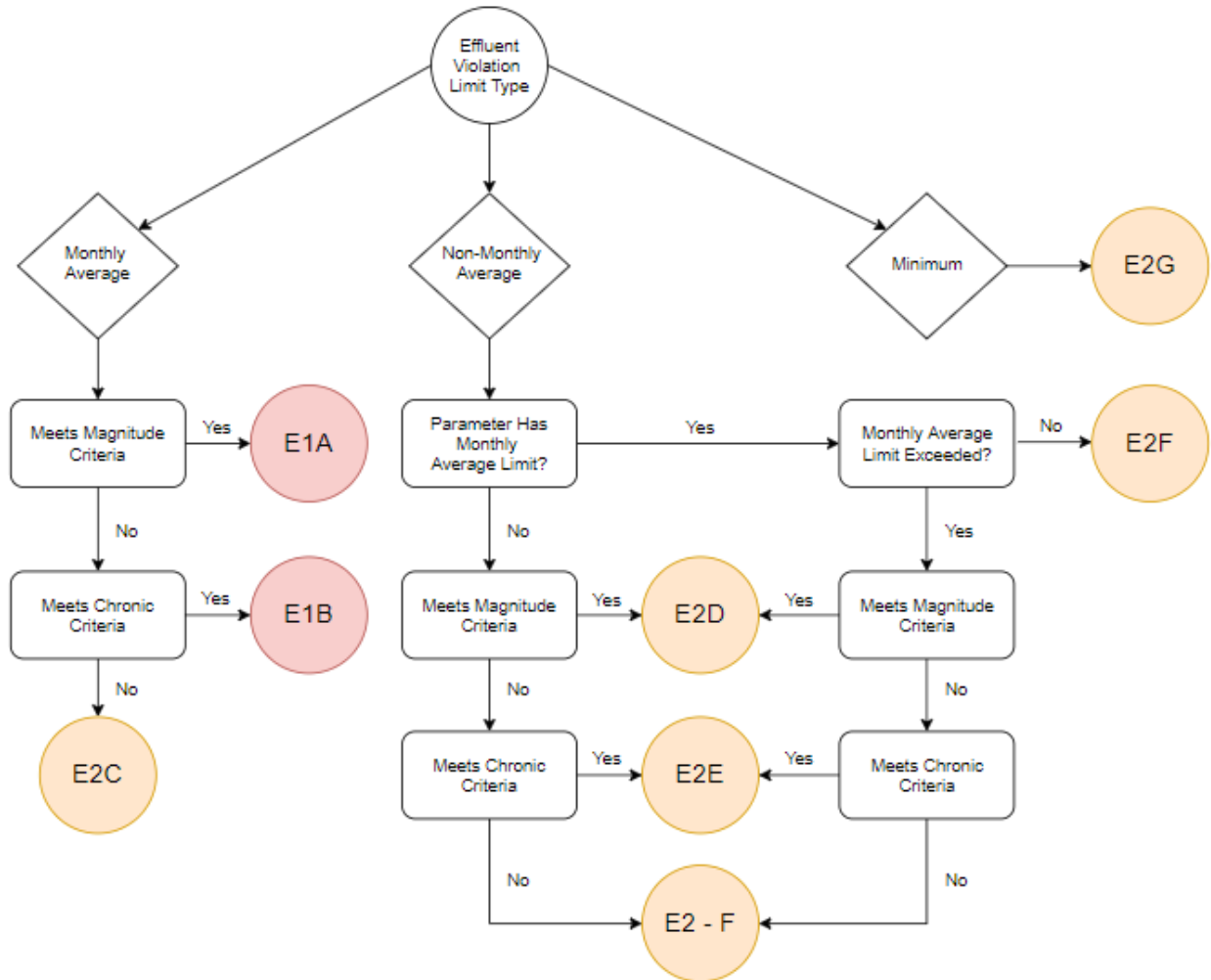
**Reasoning**

- Less than all required DMR values on the DMR form are missing 31 days after the DMR due date.
- DMRs with missing values are detected with the NNCR detection description “DMR Reporting (Partial) – No Data” and DMRs with noncompliant NODIs report are detected with the NNCR detection description “DMR Reporting (Partial) – NODI.”
- A DMR form can include multiple limit sets (A and B in this example), but they are not evaluated as separate DMR forms for determining Category I noncompliance on the NNCR.

## APPENDIX B. PERMIT LIMIT EFFLUENT EXCEEDANCE – DETECTION EXAMPLES

**Figure B-1. Permit Limit Effluent Exceedance Detection Flow Chart**

For each permit limit effluent exceedance for a NPDES ID, permitted feature, monitoring location, and parameter, follow the steps below to determine the violation detection code and order the violations are evaluated:



Code	Description	Category
E1A	Effluent – Magnitude Monthly Average	I
E1B	Effluent – Chronic Monthly Average	I
E2C	Effluent – Monthly Average	II
E2D	Effluent – Magnitude Non-Monthly Average	II
E2E	Effluent – Chronic Non-Monthly Average	II
E2F	Effluent – Non-Monthly Average	II
E2G	Effluent – Minimum	II

Figure B-2. Detection Code E1A: Effluent – Magnitude Monthly Average: Example 1

NPDES ID: DC1234567, Permitted Feature: 001, Monitoring Location: Effluent Gross, Parameter: Group I Pollutant (40%)						
DMR Value Type Limit Type	6-month Review Period					
	Month 1	Month 2	Month 3	Month 4	Month 5	Month 6
	Violation (% Over Limit) Detection Code Resolution Code	Violation (% Over Limit) Detection Code Resolution Code	Violation (% Over Limit) Detection Code Resolution Code	Violation (% Over Limit) Detection Code Resolution Code	Violation (% Over Limit) Detection Code Resolution Code	Violation (% Over Limit) Detection Code Resolution Code
Quantity 1 Monthly Average	Effluent Violation (55%) <b>E1A</b>	Effluent Violation (65%) <b>E1A</b>	No Violation	No Violation	Effluent Violation (43%) <b>E1A</b>	No Violation
Quantity 2 Non-monthly Average	No Violation	No Violation	No Violation	No Violation	No Violation	No Violation
Concentration 1 Monthly Average	Effluent Violation (10%) <b>E1B</b>	Effluent Violation (42%) <b>E1A</b>	No Violation	Effluent Violation (1%) <b>E1B</b>	No Violation	Effluent Violation (50%) <b>E1A</b>
Concentration 2 Non-monthly Average	No Violation	No Violation	No Violation	No Violation	No Violation	No Violation
Concentration 3 Minimum	No Violation	No Violation	No Violation	No Violation	No Violation	No Violation

Code	Description	Category
E1A	Effluent – Magnitude Monthly Average	I
E1B	Effluent – Chronic Monthly Average	I
E2C	Effluent – Monthly Average	II
E2D	Effluent – Magnitude Non-Monthly Average	II
E2E	Effluent – Chronic Non-Monthly Average	II
E2F	Effluent – Non-Monthly Average	II
E2G	Effluent – Minimum	II

**Reasoning**

- DMRs with monthly average limit exceedances in two or more months (months 1, 2, 5, and 6) during a six-month review period that are equal to or exceed the technical review criteria for a Group I pollutant (40 percent).
- A parameter can have multiple monthly average permit limit values (e.g., quantity limit value and concentration limit value) within a six-month review period and they are not evaluated separately.



**Figure B-3. Detection Code E1A: Effluent – Magnitude Monthly Average: Example 2**

NPDES ID: DC1234567, Permitted Feature: 001, Monitoring Location: Effluent Gross, Parameter: Group I Pollutant (40%)						
DMR Value Type Limit Type	6-month Review Period					
	Month 1	Month 2	Month 3	Month 4	Month 5	Month 6
	Violation (% Over Limit) Detection Code Resolution Code	Violation (% Over Limit) Detection Code Resolution Code	Violation (% Over Limit) Detection Code Resolution Code	Violation (% Over Limit) Detection Code Resolution Code	Violation (% Over Limit) Detection Code Resolution Code	Violation (% Over Limit) Detection Code Resolution Code
Quantity 1 Monthly Average	Effluent Violation (50%) <b>E1A</b>	No Violation	Effluent Violation (10%) E2C	No Violation	No Violation	No Violation
Quantity 2 Non-monthly Average	No Violation	No Violation	No Violation	No Violation	No Violation	No Violation
Concentration 1 Monthly Average	Effluent Violation (4%) E2C	No Violation	Effluent Violation (40%) <b>E1A</b>	No Violation	Effluent Violation (2%) E2C	No Violation
Concentration 2 Non-monthly Average	No Violation	No Violation	No Violation	No Violation	No Violation	No Violation
Concentration 3 Minimum	No Violation	No Violation	No Violation	No Violation	No Violation	No Violation

Code	Description	Category
E1A	Effluent – Magnitude Monthly Average	I
E1B	Effluent – Chronic Monthly Average	I
E2C	Effluent – Monthly Average	II
E2D	Effluent – Magnitude Non-Monthly Average	II
E2E	Effluent – Chronic Non-Monthly Average	II
E2F	Effluent – Non-Monthly Average	II
E2G	Effluent – Minimum	II

**Reasoning**

- DMRs with monthly average limit exceedances in two or more months (months 1 and 3) during a six-month review period that are equal to or exceed the technical review criteria for a Group I pollutant (40 percent).
- A parameter can have multiple monthly average permit limit values (e.g., quantity limit value and concentration limit value) within a six-month review period and they are not evaluated separately.

**Figure B-4. Detection Code E1B: Effluent – Chronic Monthly Average: Example 1**

NPDES ID: DC1234567, Permitted Feature: 001, Monitoring Location: Effluent Gross, Parameter: Group I Pollutant (40%)						
DMR Value Type Limit Type	6-month Review Period					
	Month 1	Month 2	Month 3	Month 4	Month 5	Month 6
	Violation (% Over Limit) Detection Code Resolution Code	Violation (% Over Limit) Detection Code Resolution Code	Violation (% Over Limit) Detection Code Resolution Code	Violation (% Over Limit) Detection Code Resolution Code	Violation (% Over Limit) Detection Code Resolution Code	Violation (% Over Limit) Detection Code Resolution Code
Quantity 1 Monthly Average	Effluent Violation (5%) <b>E1B</b>	No Violation	No Violation	Effluent Violation (12%) <b>E1B</b>	No Violation	No Violation
Quantity 2 Non-monthly Average	No Violation	No Violation	No Violation	No Violation	No Violation	No Violation
Concentration 1 Monthly Average	No Violation	Effluent Violation (32%) <b>E1B</b>	No Violation	No Violation	Effluent Violation (11%) <b>E1B</b>	No Violation
Concentration 2 Non-monthly Average	No Violation	No Violation	No Violation	No Violation	No Violation	No Violation
Concentration 3 Minimum	No Violation	No Violation	No Violation	No Violation	No Violation	No Violation

Code	Description	Category
E1A	Effluent – Magnitude Monthly Average	I
E1B	Effluent – Chronic Monthly Average	I
E2C	Effluent – Monthly Average	II
E2D	Effluent – Magnitude Non-Monthly Average	II
E2E	Effluent – Chronic Non-Monthly Average	II
E2F	Effluent – Non-Monthly Average	II
E2G	Effluent – Minimum	II

**Reasoning**

- DMRs with monthly average limit exceedances in four or more months (months 1, 2, 4, and 5) during a six-month review period and did not meet “Magnitude Monthly Average” criteria.
- A parameter can have multiple monthly average permit limit values (e.g., quantity limit value and concentration limit value) within a six-month review period and they are not evaluated separately.

Figure B-5. Detection Code E1B: Effluent – Chronic Monthly Average: Example 2

NPDES ID: DC1234567, Permitted Feature: 001, Monitoring Location: Effluent Gross, Parameter: Group I Pollutant (40%)						
DMR Value Type Limit Type	6-month Review Period					
	Month 1	Month 2	Month 3	Month 4	Month 5	Month 6
	Violation (% Over Limit) Detection Code Resolution Code	Violation (% Over Limit) Detection Code Resolution Code	Violation (% Over Limit) Detection Code Resolution Code	Violation (% Over Limit) Detection Code Resolution Code	Violation (% Over Limit) Detection Code Resolution Code	Violation (% Over Limit) Detection Code Resolution Code
Quantity 1 Monthly Average	Effluent Violation (50%) <b>E1A</b>	Effluent Violation (3%) <b>E1B</b>	Effluent Violation (10%) <b>E1B</b>	Effluent Violation (1%) <b>E1B</b>	No Violation	No Violation
Quantity 2 Non-monthly Average	No Violation	No Violation	No Violation	No Violation	No Violation	No Violation
Concentration 1 Monthly Average	Effluent Violation (4%) <b>E1B</b>	No Violation	Effluent Violation (40%) E1A	Effluent Violation (1%) <b>E1B</b>	Effluent Violation (2%) <b>E1B</b>	No Violation
Concentration 2 Non-monthly Average	No Violation	No Violation	No Violation	No Violation	No Violation	No Violation
Concentration 3 Minimum	No Violation	No Violation	No Violation	No Violation	No Violation	No Violation

Code	Description	Category
E1A	Effluent – Magnitude Monthly Average	I
E1B	Effluent – Chronic Monthly Average	I
E2C	Effluent – Monthly Average	II
E2D	Effluent – Magnitude Non-Monthly Average	II
E2E	Effluent – Chronic Non-Monthly Average	II
E2F	Effluent – Non-Monthly Average	II
E2G	Effluent – Minimum	II

### Reasoning

- DMRs with monthly average limit exceedances in four or more months (months 1, 2, 3, 4, and 5) during a six-month review period and did not meet “Magnitude Monthly Average” criteria.
- A parameter can have multiple monthly average permit limit values (e.g., quantity limit value and concentration limit value) within a six-month review period and they are not evaluated separately.

**Figure B-6. Detection Code E2C: Effluent – Monthly Average: Example 1**

NPDES ID: DC1234567, Permitted Feature: 001, Monitoring Location: Effluent Gross, Parameter: Group I Pollutant (40%)						
DMR Value Type Limit Type	6-month Review Period					
	Month 1	Month 2	Month 3	Month 4	Month 5	Month 6
	Violation (% Over Limit) Detection Code Resolution Code	Violation (% Over Limit) Detection Code Resolution Code	Violation (% Over Limit) Detection Code Resolution Code	Violation (% Over Limit) Detection Code Resolution Code	Violation (% Over Limit) Detection Code Resolution Code	Violation (% Over Limit) Detection Code Resolution Code
Quantity 1 Monthly Average	Effluent Violation (50%) <b>E2C</b>	Effluent Violation (0%) <b>E2C</b>	No Violation	No Violation	No Violation	No Violation
Quantity 2 Non-monthly Average	No Violation	No Violation	No Violation	No Violation	No Violation	No Violation
Concentration 1 Monthly Average	Effluent Violation (45%) <b>E2C</b>	Effluent Violation (12%) <b>E2C</b>	No Violation	No Violation	Effluent Violation (2%) <b>E2C</b>	No Violation
Concentration 2 Non-monthly Average	No Violation	No Violation	No Violation	No Violation	No Violation	No Violation
Concentration 3 Minimum	No Violation	No Violation	No Violation	No Violation	No Violation	No Violation

Code	Description	Category
E1A	Effluent – Magnitude Monthly Average	I
E1B	Effluent – Chronic Monthly Average	I
E2C	Effluent – Monthly Average	II
E2D	Effluent – Magnitude Non-Monthly Average	II
E2E	Effluent – Chronic Non-Monthly Average	II
E2F	Effluent – Non-Monthly Average	II
E2G	Effluent – Minimum	II

**Reasoning**

- DMRs with monthly average limit exceedances that did not meet “Effluent – Magnitude Monthly Average” or “Effluent – Chronic Monthly Average” criteria.

Figure B-7. Detection Code E2C: Effluent – Monthly Average: Example 2

NPDES ID: DC1234567, Permitted Feature: 001, Monitoring Location: Effluent Gross, Parameter: Group I Pollutant (40%)						
DMR Value Type Limit Type	6-month Review Period					
	Month 1	Month 2	Month 3	Month 4	Month 5	Month 6
	Violation (% Over Limit) Detection Code Resolution Code	Violation (% Over Limit) Detection Code Resolution Code	Violation (% Over Limit) Detection Code Resolution Code	Violation (% Over Limit) Detection Code Resolution Code	Violation (% Over Limit) Detection Code Resolution Code	Violation (% Over Limit) Detection Code Resolution Code
Quantity 1 Monthly Average	No Violation	No Violation	No Violation	No Violation	Effluent Violation (300%) <b>E2C</b>	No Violation
Quantity 2 Non-monthly Average	No Violation	No Violation	No Violation	No Violation	No Violation	No Violation
Concentration 1 Monthly Average	No Violation	No Violation	No Violation	No Violation	No Violation	No Violation
Concentration 2 Non-monthly Average	No Violation	No Violation	No Violation	No Violation	No Violation	No Violation
Concentration 3 Minimum	No Violation	No Violation	No Violation	No Violation	No Violation	No Violation

Code	Description	Category
E1A	Effluent – Magnitude Monthly Average	I
E1B	Effluent – Chronic Monthly Average	I
E2C	Effluent – Monthly Average	II
E2D	Effluent – Magnitude Non-Monthly Average	II
E2E	Effluent – Chronic Non-Monthly Average	II
E2F	Effluent – Non-Monthly Average	II
E2G	Effluent – Minimum	II

**Reasoning**

- DMRs with monthly average limit exceedances that did not meet “Effluent – Magnitude Monthly Average” or “Effluent – Chronic Monthly Average” criteria.

Figure B-8. Detection Code E2C: Effluent – Monthly Average: Example 3

NPDES ID: DC1234567, Permitted Feature: 001, Monitoring Location: Effluent Gross, Parameter: Group 0 Pollutant						
DMR Value Type Limit Type	6-month Review Period					
	Month 1	Month 2	Month 3	Month 4	Month 5	Month 6
	Violation (% Over Limit) Detection Code Resolution Code	Violation (% Over Limit) Detection Code Resolution Code	Violation (% Over Limit) Detection Code Resolution Code	Violation (% Over Limit) Detection Code Resolution Code	Violation (% Over Limit) Detection Code Resolution Code	Violation (% Over Limit) Detection Code Resolution Code
Quantity 1 Monthly Average	No Violation	No Violation	No Violation	No Violation	No Violation	No Violation
Quantity 2 Non-monthly Average	No Violation	No Violation	No Violation	No Violation	No Violation	No Violation
Concentration 1 Monthly Average	Effluent Violation (10%) <b>E2C</b>	Effluent Violation (160%) <b>E2C</b>	Effluent Violation (80%) <b>E2C</b>	Effluent Violation (25%) <b>E2C</b>	Effluent Violation (25%) <b>E2C</b>	No Violation
Concentration 2 Non-monthly Average	No Violation	No Violation	No Violation	No Violation	No Violation	No Violation
Concentration 3 Minimum	No Violation	No Violation	No Violation	No Violation	No Violation	No Violation

Code	Description	Category
E1A	Effluent – Magnitude Monthly Average	I
E1B	Effluent – Chronic Monthly Average	I
E2C	Effluent – Monthly Average	II
E2D	Effluent – Magnitude Non-Monthly Average	II
E2E	Effluent – Chronic Non-Monthly Average	II
E2F	Effluent – Non-Monthly Average	II
E2G	Effluent – Minimum	II

**Reasoning**

- DMRs with monthly average limit exceedances that did not meet “Effluent – Magnitude Monthly Average” or “Effluent – Chronic Monthly Average” criteria. These exceedances do not meet the criteria because they are not exceedances of Group 1 or Group 2 pollutants.

Figure B-9. Detection Code E2D: Effluent – Magnitude Non-Monthly Average: Example 1

NPDES ID: DC1234567, Permitted Feature: 001, Monitoring Location: Effluent Gross, Parameter: Group I Pollutant (40%)						
DMR Value Type Limit Type	6-month Review Period					
	Month 1	Month 2	Month 3	Month 4	Month 5	Month 6
	Violation (% Over Limit) Detection Code Resolution Code	Violation (% Over Limit) Detection Code Resolution Code	Violation (% Over Limit) Detection Code Resolution Code	Violation (% Over Limit) Detection Code Resolution Code	Violation (% Over Limit) Detection Code Resolution Code	Violation (% Over Limit) Detection Code Resolution Code
Quantity 1 Monthly Average	Effluent Violation (6%) E2C	No Violation	Effluent Violation (16%) E2C	No Violation	No Violation	No Violation
Quantity 2 Non-monthly Average	Effluent Violation (4%) E2F	No Violation	Effluent Violation (50%) E2D	Effluent Violation (2%) E2F	No Violation	No Violation
Concentration 1 Monthly Average	No Violation	No Violation	No Violation	No Violation	No Violation	Effluent Violation (1%) E2C
Concentration 2 Non-monthly Average	Effluent Violation (2%) E2F	No Violation	Effluent Violation (20%) E2F	Effluent Violation (1%) E2F	No Violation	Effluent Violation (44%) E2D
Concentration 3 Minimum	No Violation	No Violation	No Violation	No Violation	No Violation	No Violation

Code	Description	Category
E1A	Effluent – Magnitude Monthly Average	I
E1B	Effluent – Chronic Monthly Average	I
E2C	Effluent – Monthly Average	II
E2D	Effluent – Magnitude Non-Monthly Average	II
E2E	Effluent – Chronic Non-Monthly Average	II
E2F	Effluent – Non-Monthly Average	II
E2G	Effluent – Minimum	II

**Reasoning**

- DMRs with non-monthly average limit exceedances in two or more months (months 3 and 6) during a six-month review period that are equal to or exceed the technical review criteria for a Group I pollutant (40 percent), *and* the monthly average limit for the same months (Quantity 1 [Q1] in month 3 and Concentration 1 [C1] in month 6) are also exceeded.
- If there is no monthly average limit, the non-monthly averages are evaluated under the same criteria as monthly averages for TRC and chronic criteria.

Figure B-10. Detection Code E2D: Effluent – Magnitude Non-Monthly Average: Example 2

NPDES ID: DC1234567, Permitted Feature: 001, Monitoring Location: Effluent Gross, Parameter: Group I Pollutant (40%)						
DMR Value Type Limit Type	6-month Review Period					
	Month 1	Month 2	Month 3	Month 4	Month 5	Month 6
	Violation (% Over Limit) Detection Code Resolution Code	Violation (% Over Limit) Detection Code Resolution Code	Violation (% Over Limit) Detection Code Resolution Code	Violation (% Over Limit) Detection Code Resolution Code	Violation (% Over Limit) Detection Code Resolution Code	Violation (% Over Limit) Detection Code Resolution Code
Quantity 1 Monthly Average	Effluent Violation (6%) <b>E2C</b>	Effluent Violation (1%) <b>E2C</b>	No Violation	No Violation	No Violation	Effluent Violation (35%) <b>E2C</b>
Quantity 2 Non-monthly Average	Effluent Violation (4%) <b>E2F</b>	Effluent Violation (2%) <b>E2F</b>	No Violation	Effluent Violation (2%) <b>E2F</b>	No Violation	Effluent Violation (46%) <b>E2D</b>
Concentration 1 Monthly Average	No Violation	No Violation	No Violation	No Violation	No Violation	No Violation
Concentration 2 Non-monthly Average	Effluent Violation (61%) <b>E2D</b>	No Violation	Effluent Violation (8%) <b>E2F</b>	No Violation	No Violation	Effluent Violation (10%) <b>E2F</b>
Concentration 3 Minimum	No Violation	No Violation	No Violation	No Violation	No Violation	No Violation

Code	Description	Category
E1A	Effluent – Magnitude Monthly Average	I
E1B	Effluent – Chronic Monthly Average	I
E2C	Effluent – Monthly Average	II
E2D	Effluent – Magnitude Non-Monthly Average	II
E2E	Effluent – Chronic Non-Monthly Average	II
E2F	Effluent – Non-Monthly Average	II
E2G	Effluent – Minimum	II

**Reasoning**

- DMRs with non-monthly average limit exceedances in two or more months (months 1 and 6) during a six-month review period that are equal to or exceed the technical review criteria for a Group I pollutant (40 percent), *and* the monthly average limit for the same months (Q1 in month 1 and 6) are also exceeded.



**Figure B-11. Detection Code E2E: Effluent – Chronic Non-Monthly Average: Example 1**

NPDES ID: DC1234567, Permitted Feature: 001, Monitoring Location: Effluent Gross, Parameter: Group I Pollutant (40%)						
DMR Value Type Limit Type	6-month Review Period					
	Month 1	Month 2	Month 3	Month 4	Month 5	Month 6
	Violation (% Over Limit) Detection Code Resolution Code	Violation (% Over Limit) Detection Code Resolution Code	Violation (% Over Limit) Detection Code Resolution Code	Violation (% Over Limit) Detection Code Resolution Code	Violation (% Over Limit) Detection Code Resolution Code	Violation (% Over Limit) Detection Code Resolution Code
Quantity 1 Monthly Average	Effluent Violation (6%) <b>E1B</b>	Effluent Violation (1%) <b>E1B</b>	No Violation	No Violation	No Violation	Effluent Violation (20%) <b>E1B</b>
Quantity 2 Non-monthly Average	Effluent Violation (14%) <b>E2E</b>	Effluent Violation (2%) <b>E2E</b>	No Violation	Effluent Violation (2%) <b>E2E</b>	No Violation	Effluent Violation (25%) <b>E2E</b>
Concentration 1 Monthly Average	No Violation	No Violation	No Violation	Effluent Violation (8%) <b>E1B</b>	No Violation	No Violation
Concentration 2 Non-monthly Average	No Violation	Effluent Violation (8%) <b>E2E</b>	No Violation	Effluent Violation (8%) <b>E2E</b>	No Violation	No Violation
Concentration 3 Minimum	No Violation	No Violation	No Violation	Effluent Violation (8%)	No Violation	No Violation

Code	Description	Category
E1A	Effluent – Magnitude Monthly Average	I
E1B	Effluent – Chronic Monthly Average	I
E2C	Effluent – Monthly Average	II
E2D	Effluent – Magnitude Non-Monthly Average	II
E2E	Effluent – Chronic Non-Monthly Average	II
E2F	Effluent – Non-Monthly Average	II
E2G	Effluent – Minimum	II

**Reasoning**

- DMRs with non-monthly average limit exceedances in four or more months (months 1, 2, 4, and 6) during the six-month review period *and* the monthly average limit for the same months (Q1 in months 1, 2, and 6 and C1 in month 4) had exceedances, and violations did not previously meet the “Effluent – Magnitude Non-Monthly Average” criteria.

**Figure B-12. Detection Code E2E: Effluent – Chronic Non-Monthly Average: Example 2**

NPDES ID: DC1234567, Permitted Feature: 001, Monitoring Location: Effluent Gross, Parameter: Group I Pollutant (40%)						
DMR Value Type Limit Type	6-month Review Period					
	Month 1	Month 2	Month 3	Month 4	Month 5	Month 6
	Violation (% Over Limit) Detection Code Resolution Code	Violation (% Over Limit) Detection Code Resolution Code	Violation (% Over Limit) Detection Code Resolution Code	Violation (% Over Limit) Detection Code Resolution Code	Violation (% Over Limit) Detection Code Resolution Code	Violation (% Over Limit) Detection Code Resolution Code
Quantity 1 Monthly Average	Effluent Violation (50%) <b>E2C</b>	Effluent Violation (8%) <b>E2C</b>	Effluent Violation (10%) <b>E2C</b>	No Violation	No Violation	No Violation
Quantity 2 Non-monthly Average	Effluent Violation (22%) <b>E2E</b>	Effluent Violation (2%) <b>E2E</b>	Effluent Violation (18%) <b>E2E</b>	Effluent Violation (1%) <b>E2F</b>	Effluent Violation (1%) <b>E2F</b>	Effluent Violation (2%) <b>E2E</b>
Concentration 1 Monthly Average	No Violation	No Violation	No Violation	No Violation	No Violation	Effluent Violation (1%) <b>E2C</b>
Concentration 2 Non-monthly Average	Effluent Violation (25%) <b>E2E</b>	Effluent Violation (2%) <b>E2E</b>	Effluent Violation (14%) <b>E2E</b>	Effluent Violation (1%) <b>E2F</b>	Effluent Violation (6%) <b>E2F</b>	Effluent Violation (10%) <b>E2E</b>
Concentration 3 Minimum	No Violation	No Violation	No Violation	No Violation	No Violation	No Violation

Code	Description	Category
E1A	Effluent – Magnitude Monthly Average	I
E1B	Effluent – Chronic Monthly Average	I
E2C	Effluent – Monthly Average	II
E2D	Effluent – Magnitude Non-Monthly Average	II
E2E	Effluent – Chronic Non-Monthly Average	II
E2F	Effluent – Non-Monthly Average	II
E2G	Effluent – Minimum	II

**Reasoning**

- DMRs with non-monthly average limit exceedances in four or more months (months 1, 2, 4, and 6) during the six-month review period *and* the monthly average limit for the same months (Q1 in months 1, 2, and 3 and C1 in month 6) had exceedances, and violations did not previously meet the “Effluent – Magnitude Non-Monthly Average” criteria.

**Figure B-13. Detection Code E2F: Effluent – Non-Monthly Average: Example 1**

NPDES ID: DC1234567, Permitted Feature: 001, Monitoring Location: Effluent Gross, Parameter: Group I Pollutant (40%)						
DMR Value Type Limit Type	6-month Review Period					
	Month 1	Month 2	Month 3	Month 4	Month 5	Month 6
	Violation (% Over Limit) Detection Code Resolution Code	Violation (% Over Limit) Detection Code Resolution Code	Violation (% Over Limit) Detection Code Resolution Code	Violation (% Over Limit) Detection Code Resolution Code	Violation (% Over Limit) Detection Code Resolution Code	Violation (% Over Limit) Detection Code Resolution Code
Quantity 1 Monthly Average	Effluent Violation (50%) <b>E2C</b>	No Violation	Effluent Violation (10%) <b>E2C</b>	No Violation	No Violation	No Violation
Quantity 2 Non-monthly Average	Effluent Violation (22%) <b>E2F</b>	Effluent Violation (2%) <b>E2F</b>	Effluent Violation (20%) <b>E2F</b>	Effluent Violation (1%) <b>E2F</b>	Effluent Violation (1%) <b>E2F</b>	Effluent Violation (2%) <b>E2F</b>
Concentration 1 Monthly Average	No Violation	No Violation	No Violation	No Violation	No Violation	Effluent Violation (1%) <b>E2C</b>
Concentration 2 Non-monthly Average	Effluent Violation (25%) <b>E2F</b>	Effluent Violation (2%) <b>E2F</b>	Effluent Violation (20%) <b>E2F</b>	Effluent Violation (1%) <b>E2F</b>	Effluent Violation (5%) <b>E2F</b>	Effluent Violation (10%) <b>E2F</b>
Concentration 3 Minimum	No Violation	No Violation	No Violation	No Violation	No Violation	No Violation

Code	Description	Category
E1A	Effluent – Magnitude Monthly Average	I
E1B	Effluent – Chronic Monthly Average	I
E2C	Effluent – Monthly Average	II
E2D	Effluent – Magnitude Non-Monthly Average	II
E2E	Effluent – Chronic Non-Monthly Average	II
E2F	Effluent – Non-Monthly Average	II
E2G	Effluent – Minimum	II

**Reasoning**

- DMRs with non-monthly average limit exceedances that did not meet “Effluent – Magnitude Non-Monthly Average” or “Effluent – Chronic Non-Monthly Average” criteria.
- The months where both the non-monthly average and the monthly average are exceeded (month 1 and 3), the non-monthly average limit exceedances did not equal or exceed the technical review criteria. There are not enough months of monthly average exceedances for the chronic criteria to apply.

**Figure B-14. Detection Code E2F: Effluent – Non-Monthly Average: Example 2**

NPDES ID: DC1234567, Permitted Feature: 001, Monitoring Location: Effluent Gross, Parameter: Group I Pollutant (40%)						
DMR Value Type Limit Type	6-month Review Period					
	Month 1	Month 2	Month 3	Month 4	Month 5	Month 6
	Violation (% Over Limit) Detection Code Resolution Code	Violation (% Over Limit) Detection Code Resolution Code	Violation (% Over Limit) Detection Code Resolution Code	Violation (% Over Limit) Detection Code Resolution Code	Violation (% Over Limit) Detection Code Resolution Code	Violation (% Over Limit) Detection Code Resolution Code
Quantity 1 Monthly Average	Effluent Violation (39%) <b>E2C</b>	No Violation	No Violation	No Violation	No Violation	No Violation
Quantity 2 Non-monthly Average	No Violation	No Violation	No Violation	Effluent Violation (1%) <b>E2F</b>	Effluent Violation (1%) <b>E2F</b>	No Violation
Concentration 1 Monthly Average	No Violation	No Violation	No Violation	No Violation	Effluent Violation (2%) <b>E2C</b>	No Violation
Concentration 2 Non-monthly Average	No Violation	No Violation	No Violation	No Violation	Effluent Violation (25%) <b>E2F</b>	Effluent Violation (2%) <b>E2F</b>
Concentration 3 Minimum	No Violation	No Violation	No Violation	No Violation	No Violation	No Violation

Code	Description	Category
E1A	Effluent – Magnitude Monthly Average	I
E1B	Effluent – Chronic Monthly Average	I
E2C	Effluent – Monthly Average	II
E2D	Effluent – Magnitude Non-Monthly Average	II
E2E	Effluent – Chronic Non-Monthly Average	II
E2F	Effluent – Non-Monthly Average	II
E2G	Effluent – Minimum	II

**Reasoning**

- DMRs with non-monthly average limit exceedances that did not meet “Effluent – Magnitude Non-Monthly Average” or “Effluent – Chronic Non-Monthly Average” criteria.

Figure B-15. Detection Code E2G: Effluent – Minimum: Example 1

NPDES ID: DC1234567, Permitted Feature: 001, Monitoring Location: Effluent Gross, Parameter: Group 0 Pollutant						
DMR Value Type Limit Type	6-month Review Period					
	Month 1	Month 2	Month 3	Month 4	Month 5	Month 6
	Violation (% Over Limit) Detection Code Resolution Code	Violation (% Over Limit) Detection Code Resolution Code	Violation (% Over Limit) Detection Code Resolution Code	Violation (% Over Limit) Detection Code Resolution Code	Violation (% Over Limit) Detection Code Resolution Code	Violation (% Over Limit) Detection Code Resolution Code
Quantity 1 Monthly Average	No Violation	No Violation	No Violation	No Violation	No Violation	No Violation
Quantity 2 Non-monthly Average	No Violation	No Violation	No Violation	No Violation	No Violation	No Violation
Concentration 1 Monthly Average	No Violation	No Violation	No Violation	No Violation	No Violation	No Violation
Concentration 2 Non-monthly Average	No Violation	No Violation	No Violation	No Violation	No Violation	No Violation
Concentration 3 Minimum	Effluent Violation (80%) <b>E2G</b>	No Violation	Effluent Violation (22%) <b>E2G</b>	Effluent Violation (5%) <b>E2G</b>	Effluent Violation (5%) <b>E2G</b>	Effluent Violation (10%) <b>E2G</b>

Code	Description	Category
E1A	Effluent – Magnitude Monthly Average	I
E1B	Effluent – Chronic Monthly Average	I
E2C	Effluent – Monthly Average	II
E2D	Effluent – Magnitude Non-Monthly Average	II
E2E	Effluent – Chronic Non-Monthly Average	II
E2F	Effluent – Non-Monthly Average	II
E2G	Effluent – Minimum	II

**Reasoning**

- DMRs with minimum limit exceedances.
- A Group 0 is a parameter that does not meet Group I or Group II pollutant criteria (e.g., Oxygen, dissolved [DO] (00300)).

**APPENDIX C. PERMIT LIMIT EFFLUENT EXCEEDANCE – RESOLUTION EXAMPLES**

**Figure C-1. Resolution Code R2: Effluent – 3 Months Clean: Example 1**

NPDES ID: DC1234567, Permitted Feature: 001, Monitoring Location: Effluent Gross, Parameter: Group I Pollutant (40%)						
DMR Value Type Limit Type	6-month Review Period					
	Month 1	Month 2	Month 3	Month 4	Month 5	Month 6
	Violation (% Over Limit) Detection Code Resolution Code	Violation (% Over Limit) Detection Code Resolution Code	Violation (% Over Limit) Detection Code Resolution Code	Violation (% Over Limit) Detection Code Resolution Code	Violation (% Over Limit) Detection Code Resolution Code	Violation (% Over Limit) Detection Code Resolution Code
Quantity 1 Monthly Average	Effluent Violation (50%) E1A R2	Effluent Violation (3%) E2C R2	Effluent Violation (10%) E2C R2	No Violation	No Violation	No Violation
Quantity 2 Non-monthly Average						
Concentration 1 Monthly Average	Effluent Violation (4%) E2C R2	No Violation	Effluent Violation (40%) E1A R2	No Violation	No Violation	No Violation
Concentration 2 Non-monthly Average						
Concentration 3 Minimum						

Code	Description	Status
R2	Effluent – 3 Months Clean	Resolved

**Reasoning**

- The permitted feature, parameter, monitoring location, and statistical base limit type (i.e., monthly average) had no effluent or DMR reporting violations in the last three months of the six-month review period and numeric DMR data or NODI B or Q are reported.

**Figure C-2. Resolution Code R2: Effluent – 3 Months Clean: Example 2**

NPDES ID: DC1234567, Permitted Feature: 001, Monitoring Location: Effluent Gross, Parameter: Group I Pollutant (40%)						
DMR Value Type Limit Type	6-month Review Period					
	Month 1	Month 2	Month 3	Month 4	Month 5	Month 6
	Violation (% Over Limit) Detection Code Resolution Code	Violation (% Over Limit) Detection Code Resolution Code	Violation (% Over Limit) Detection Code Resolution Code	Violation (% Over Limit) Detection Code Resolution Code	Violation (% Over Limit) Detection Code Resolution Code	Violation (% Over Limit) Detection Code Resolution Code
Quantity 1 Monthly Average	Effluent Violation (50%) E1A R2	Effluent Violation (3%) E2C R2	Effluent Violation (10%) E2C R2	No Violation	NODI B	No Violation
Quantity 2 Non-monthly Average						
Concentration 1 Monthly Average	No Violation	No Violation	Effluent Violation (40%) E1A R2	No Violation	No Violation	No Violation
Concentration 2 Non-monthly Average				Effluent Violation (10%) E2F		NODI E
Concentration 3 Minimum						

Code	Description	Status
R2	Effluent – 3 Months Clean	Resolved

**Reasoning**

- The permitted feature, parameter, monitoring location, and statistical base limit type (i.e., monthly average) had no effluent or DMR reporting violations in the last three months of the six-month review period and numeric DMR data or NODI B or Q are reported.
- Quantity 1 and Concentration 1 effluent violations from months 1 to 3 are resolved even though there is a C2 violation in month 4 and NODI C reported in month 6 because it is an effluent exceedance of a non-monthly average and is evaluated separately.

Figure C-3. Resolution Code R2: Effluent – 3 Months Clean: Example 3

NPDES ID: DC1234567, Permitted Feature: 001, Monitoring Location: Effluent Gross, Parameter: Group I Pollutant (40%)									
	Month 1	Month 2	Month 3	Month 4	Month 5	Month 6	Month 7	Month 8	Month 9
DMR Value Type Limit Type	Violation (% Over Limit) Detection Code Resolution Code	Violation (% Over Limit) Detection Code Resolution Code	Violation (% Over Limit) Detection Code Resolution Code	Violation (% Over Limit) Detection Code Resolution Code	Violation (% Over Limit) Detection Code Resolution Code	Violation (% Over Limit) Detection Code Resolution Code	Violation (% Over Limit) Detection Code Resolution Code	Violation (% Over Limit) Detection Code Resolution Code	Violation (% Over Limit) Detection Code Resolution Code
Quantity 1 Monthly Average	Effluent Violation (64%) E1A R2	No Violation	No Violation	No Violation	No Violation	No Violation	No Violation	No Violation	No Violation
Quantity 2 Non-monthly Average									
Concentration 1 Monthly Average	No Violation	No Violation	No Violation	Effluent Violation (40%) E1A R2	No Violation	Effluent Violation (12%) E1A R2	No Violation	No Violation	No Violation
Concentration 2 Non-monthly Average									
Concentration 3 Minimum									

Code	Description	Status
R2	Effluent – 3 Months Clean	Resolved

**Reasoning**

- The permitted feature, parameter, monitoring location, and statistical base limit type (i.e., monthly average) had no effluent or DMR reporting violations in the last three months of the six-month review period and numeric DMR data or NODI B or Q are reported.
- Once the three months clean criteria are met, violations from within and before the six-month review period are resolved by the three months clean criteria.



**Figure C-4. Resolution Code R2: Effluent – 3 Months Clean: Example 4**

NPDES ID: DC1234567, Permitted Feature: 001, Monitoring Location: Effluent Gross, Parameter: Group I Pollutant (40%)						
DMR Value Type Limit Type	6-month Review Period					
	Month 1	Month 2	Month 3	Month 4	Month 5	Month 6
	Violation (% Over Limit) Detection Code Resolution Code	Violation (% Over Limit) Detection Code Resolution Code	Violation (% Over Limit) Detection Code Resolution Code	Violation (% Over Limit) Detection Code Resolution Code	Violation (% Over Limit) Detection Code Resolution Code	Violation (% Over Limit) Detection Code Resolution Code
Quantity 1 Monthly Average	Effluent Violation (50%) E1A	Effluent Violation (3%) E2C	Effluent Violation (10%) E2C	No Violation	No Violation	No Violation
Quantity 2 Non-monthly Average	No Violation	No Violation	No Violation	No Violation	No Violation	No Violation
Concentration 1 Monthly Average	No Violation	No Violation	Effluent Violation (40%) E1A	No Violation	NODI C	No Violation
Concentration 2 Non-monthly Average	No Violation	No Violation	No Violation	No Violation	No Violation	No Violation
Concentration 3 Minimum	No Violation	No Violation	No Violation	No Violation	No Violation	No Violation

Code	Description	Status
R2	Effluent – 3 Months Clean	Resolved

**Reasoning**

- Effluent violations are not resolved because a NODI other than B or Q was reported in the last three months of the six-month review period, so these DMRs do not meet the three months clean criteria.

Figure C-5. Resolution Code R2: Effluent – 3 Months Clean: Example 5

NPDES ID: DC1234567, Permitted Feature: 001, Monitoring Location: Effluent Gross, Parameter: Group I Pollutant (40%)						
DMR Value Type Limit Type	6-month Review Period					
	Month 1	Month 2	Month 3	Month 4	Month 5	Month 6
	Violation (% Over Limit) Detection Code Resolution Code	Violation (% Over Limit) Detection Code Resolution Code	Violation (% Over Limit) Detection Code Resolution Code	Violation (% Over Limit) Detection Code Resolution Code	Violation (% Over Limit) Detection Code Resolution Code	Violation (% Over Limit) Detection Code Resolution Code
Quantity 1 Monthly Average	Effluent Violation (50%) E1A	Effluent Violation (3%) E2C	Effluent Violation (10%) E2C	No Violation	Overdue DMR (D90)	No Violation
Quantity 2 Non-monthly Average	No Violation	No Violation	No Violation	No Violation	No Violation	No Violation
Concentration 1 Monthly Average	No Violation	No Violation	Effluent Violation (40%) E1A	No Violation	No Violation	No Violation
Concentration 2 Non-monthly Average	No Violation	No Violation	No Violation	No Violation	No Violation	No Violation
Concentration 3 Minimum	No Violation	No Violation	No Violation	No Violation	No Violation	No Violation

Code	Description	Status
R2	Effluent – 3 Months Clean	Resolved

**Reasoning**

- A DMR reporting violation (month 5) occurred in the last three months of the six-month review period for the permitted feature, parameter, monitoring location, and statistical base limit type (i.e., monthly average), so these DMRs do not meet the three months clean criteria.

Figure C-6. Resolution Code R2: Effluent – 3 Months Clean: Example 6

NPDES ID: DC1234567, Permitted Feature: 001, Monitoring Location: Effluent Gross, Parameter: Group I Pollutant (40%)						
DMR Value Type Limit Type	6-month Review Period					
	Month 1	Month 2	Month 3	Month 4	Month 5	Month 6
	Violation (% Over Limit) Detection Code Resolution Code	Violation (% Over Limit) Detection Code Resolution Code	Violation (% Over Limit) Detection Code Resolution Code	Violation (% Over Limit) Detection Code Resolution Code	Violation (% Over Limit) Detection Code Resolution Code	Violation (% Over Limit) Detection Code Resolution Code
Quantity 1 Monthly Average	Effluent Violation (50%) E1A	Effluent Violation (3%) E1B	Effluent Violation (10%) E1B	No Violation	No Violation	No Violation
Quantity 2 Non-monthly Average	No Violation	No Violation	No Violation	No Violation	No Violation	No Violation
Concentration 1 Monthly Average	No Violation	No Violation	Effluent Violation (40%) E1A	No Violation	Effluent Violation (1%) E1B	No Violation
Concentration 2 Non-monthly Average	No Violation	No Violation	No Violation	No Violation	No Violation	No Violation
Concentration 3 Minimum	No Violation	No Violation	No Violation	No Violation	No Violation	No Violation

Code	Description	Status
R2	Effluent – 3 Months Clean	Resolved

**Reasoning**

- An effluent exceedance violation (month 5) occurred in the last three months of the six-month review period for the permitted feature, parameter, monitoring location, and statistical base limit type (i.e., monthly average), so these DMRs do not meet the three months clean criteria.

**Figure C-7. Resolution Code R2: Effluent – 3 Months Clean: Example 7**

NPDES ID: DC1234567, Permitted Feature: 001, Monitoring Location: Effluent Gross, Parameter: Group I Pollutant (40%)						
DMR Value Type Limit Type	6-month Review Period					
	Month 1	Month 2	Month 3	Month 4	Month 5	Month 6
	Violation (% Over Limit) Detection Code Resolution Code	Violation (% Over Limit) Detection Code Resolution Code	Violation (% Over Limit) Detection Code Resolution Code	Violation (% Over Limit) Detection Code Resolution Code	Violation (% Over Limit) Detection Code Resolution Code	Violation (% Over Limit) Detection Code Resolution Code
Quantity 1 Monthly Average	Effluent Violation (50%) E1A	Effluent Violation (40%) E1A	No Violation	No monitoring requirements for months 4-6		
Quantity 2 Non-monthly Average	No Violation	No Violation	No Violation			
Concentration 1 Monthly Average	No Violation	No Violation	No Violation			
Concentration 2 Non-monthly Average	No Violation	No Violation	No Violation			
Concentration 3 Minimum	No Violation	No Violation	No Violation			

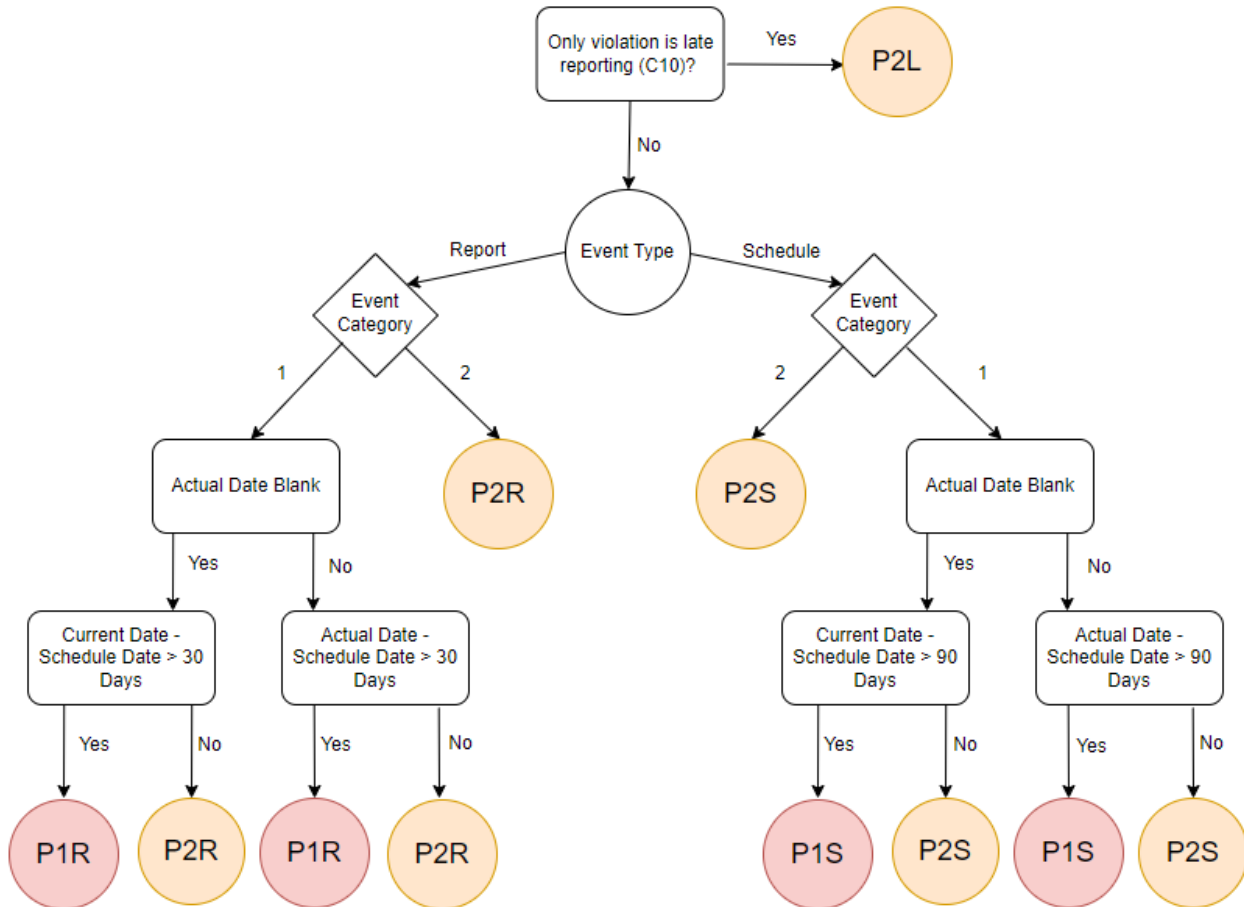
Code	Description	Status
R2	Effluent – 3 Months Clean	Resolved

**Reasoning**

- DMRs cannot meet the three months clean criteria if DMRs are not required.

### APPENDIX D. PERMIT SCHEDULE EVENT – DETECTION EXAMPLE

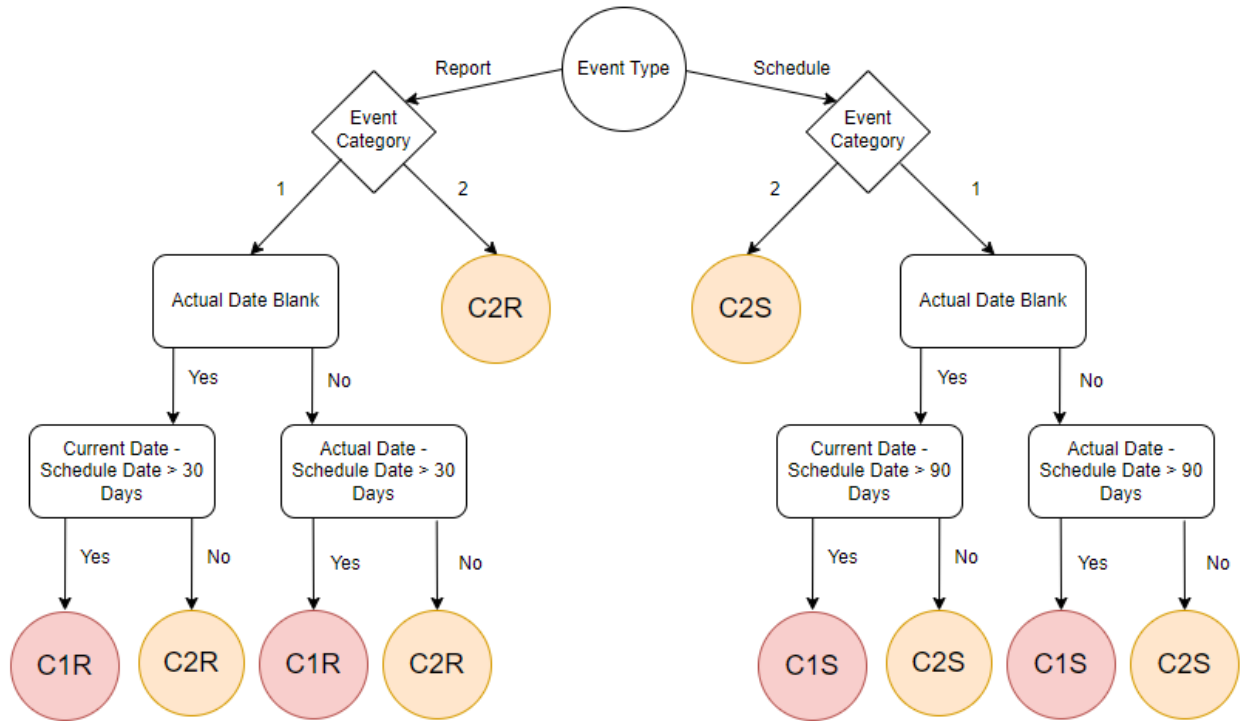
Figure D-1. Permit Schedule Detection Flow Chart



Code	Description	Category
P1R	Permit Schedule Report 30 – I	I
P1S	Permit Schedule Event 90 – I	I
P2R	Permit Schedule Report – II	II
P2S	Permit Schedule Event – II	II
P2L	Permit Schedule Reported Late	II

## APPENDIX E. COMPLIANCE SCHEDULE EVENT – DETECTION EXAMPLE

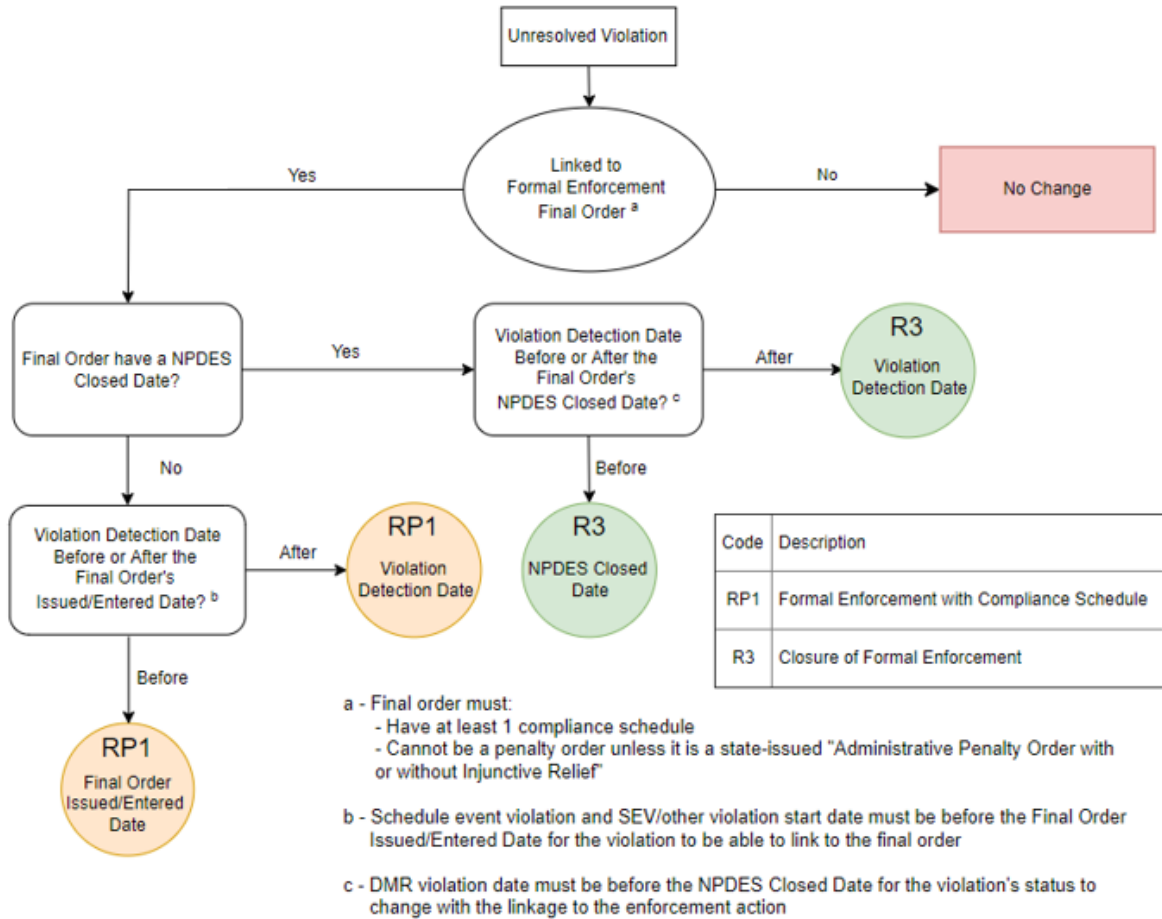
Figure E-1. Compliance Schedule Detection Flow Chart



Code	Description	Category
C1R	Compliance Schedule Report 30 – I	I
C1S	Compliance Schedule Event 90 – I	I
C2R	Compliance Schedule Report – II	II
C2S	Compliance Schedule Event – II	II

## APPENDIX F. VIOLATIONS LINKED TO ENFORCEMENT ACTION – RESOLUTIONS

**Figure F-1. Violations Linked to Formal Enforcement Action Resolution Flow Chart**



## APPENDIX G. SCHEDULE EVENT – VIOLATION CODE HISTORY

New York notes on Schedule Event codes in ICIS-NPDES REF\_SCHEDULE\_EVENT:

- Codes ending with 99 have existed since the Permit Compliance System (PCS).
- Codes with a ## (e.g., 01) at the end were requests from EPA Regions and those ending with state abbreviations (e.g., NJ) were requests from the states during PCS.
- PR###, CSO## were added at the beginning of ICIS.
- Codes that are all letters were additions since implementation of ICIS.
- In the transition between PCS and ICIS, EPA had 1,976 codes in PCS and went down to 302 active codes at the beginning of ICIS.



## APPENDIX H. QUICK REFERENCE TABLE: DETECTION

### Violation Detection Codes

The table below lists the violation detection descriptions, codes, noncompliance categories, and associated violation types available on the quarterly NNCR.

**Table H-1. Violation Detection Codes**

Description	Code	Category	Violation Type	Generation
Effluent – Magnitude Monthly Average	E1A	1	Effluent	Auto
Effluent – Chronic Monthly Average	E1B	1	Effluent	Auto
Effluent – Monthly Average	E2C	2	Effluent	Auto
Effluent – Magnitude Non-Monthly Average	E2D	2	Effluent	Auto
Effluent – Chronic Non-Monthly Average	E2E	2	Effluent	Auto
Effluent – Non-Monthly Average	E2F	2	Effluent	Auto
Effluent – Minimum	E2G	2	Effluent	Auto
Effluent – Enforcement	E1H	1	Effluent	Auto
DMR Reporting (Entire) – No Data	D1A	1	DMR Reporting	Auto
DMR Reporting (Entire) – NODI	D1B	1	DMR Reporting	Auto
DMR Reporting (Partial) – No Data	D2C	2	DMR Reporting	Auto
DMR Reporting (Partial) – NODI	D2D	2	DMR Reporting	Auto
Permit Schedule Report 30 – I	P1R	1	Permit Schedule	Auto
Permit Schedule Event 90 – I	P1S	1	Permit Schedule	Auto
Permit Schedule Report – II	P2R	2	Permit Schedule	Auto
Permit Schedule Event – II	P2S	2	Permit Schedule	Auto
Permit Schedule Reported Late	P2L	2	Permit Schedule	Auto
Compliance Schedule Report 30 – I	C1R	1	Compliance Schedule	Auto
Compliance Schedule Event 90 – I	C1S	1	Compliance Schedule	Auto
Compliance Schedule Report – II	C2R	2	Compliance Schedule	Auto
Compliance Schedule Event – II	C2S	2	Compliance Schedule	Auto
Other Violation – I	O1	1	SEV	Auto
Other Violation – II	O2	2	SEV	Auto
Category I – Manual	M1	1	DMR – Effluent, SEV	Manual
Category II – Manual	M2	2	SEV	Manual

## APPENDIX I. QUICK REFERENCE TABLE: RESOLUTION

### Violation Resolution Codes

The table below lists the violation resolution descriptions, codes, violation statuses, associated violation types, and how the description is generated on the quarterly NNCR.

**Table I-1. Violation Resolution Codes**

Description	Code	Status	Violation Type	Generation
Unresolved – Manual	U1	Unresolved	Effluent, SEV	Manual
Formal Enforcement with Compliance Schedule	RP1	Resolved Pending	All	Auto
Resolved Pending – Manual	RP2	Resolved Pending	All	Manual
Submitted Report or Completed Event	R1	Resolved	DMR Reporting, Schedule	Auto
Effluent – 3 Months Clean	R2	Resolved	Effluent	Auto
Closure of Formal Enforcement	R3	Resolved	All	Auto
System Administratively Resolved	R4	Resolved	DMR Reporting	Auto
Resolved – Manual	R5	Resolved	All	Manual
Permit Terminated	R6	Resolved	All	Auto

## APPENDIX J. GLOSSARY

**Detection Date:** Date associated with the most recent update to the violation's detection description. This is automatically generated but can be manually overridden by a regulatory authority.

**Detection Description/Code:** Each violation included on the quarterly NNCR includes a unique detection description, which provides more detail about the violation category (I or II). The detection codes are displayed within the flow charts and examples, but not within the online report. This is automatically generated but can be overridden by a regulatory authority.

**Discharge Monitoring Report (DMR):** A report that summarizes self-monitoring results, submitted by a permittee to the NPDES regulatory authority at intervals specified in the permit. Provides summary monitoring information (e.g., pollutants discharged) for a given timeframe.

**DMR Form:** A DMR form is defined by the unique grouping of required DMR values for a NPDES ID, permitted feature, and monitoring period end date. It does not consider limit sets or monitoring locations separately.

**Enforcement Action Limit:** Numeric limit value imposed during the period of the enforcement action; if entered, the system uses this limit value for calculating compliance rather than the permit limit value.

**Group I Pollutant:** Pollutants included in Group I are defined in 40 CFR 123.45. For the full categorization of parameters, see table REF\_PARAMETER where the field SNC FLAG = 1.

**Group II Pollutant:** Pollutants included in Group II are defined in 40 CFR 123.45. For the full categorization of parameters, see table REF\_PARAMETER where the field SNC FLAG = 2.

**Limit Set:** Grouping of parameters defined by a monitoring schedule for a particular permitted feature.

**Minimum Limit:** Statistical base codes associated with minimum limits. See REF\_STATISTICAL\_BASE where STATISTICAL\_BASE\_MONTHLY\_AVG = null (blank).

**Monitoring Location:** Code and description for the monitoring location associated with the DMR. Parameters can have multiple monitoring location requirements for the same permitted feature on a DMR.

**Monitoring Period End Date:** The last day of the monitoring period for a discharge monitoring report.

**Monthly Average Limit:** Statistical base codes associated with monthly average limits. See REF\_STATISTICAL\_BASE where STATISTICAL\_BASE\_MONTHLY\_AVG = A.

**Noncompliant No Data Indicator (NODI):** A no data indicator (NODI) reported on a DMR that is considered an unacceptable reason for not reporting required data as a numeric value.

**Non-Monthly Average Limit:** Statistical base codes associated with maximum limits and all averages other than monthly averages. See REF\_STATISTICAL\_BASE where STATISTICAL\_BASE\_MONTHLY\_AVG = N.

**NPDES ID:** A unique ID in the national data system for a NPDES permit or unpermitted facility.

**Parameter:** Description of the violation (varies by violation type). For each parameter on the report:

- Base Program: Code and single event violation (SEV) description.
- Biosolids: Code and SEV description.
- DMR Reporting: Code and description that identifies the regulated parameter. Multiple parameters can apply to a single pollutant or CAS number.
- Effluent: Code and description that identifies the regulated parameter. Multiple parameters can apply to a single pollutant or CAS number.
- Schedule: Code and description of the required report or scheduled event.

**Permitted Feature:** Outfall number or permitted feature identifier.

**Percent Exceedance:** Percent the reported DMR value is over the associated limit value, rounded to the nearest whole number. If the percent exceedance is less than 0.005, this is reported as a 0 percent exceedance. If there is a permit limit exceedance but the percent exceedance cannot be accurately calculated (e.g., pH or too numerous to count values), this is displayed as “limit exceedance” in place of a numeric value.

**Quarter End Date:** Last day of the calendar quarter, based on the federal fiscal year.

**Quarter Start Date:** First day of the calendar quarter, based on the federal fiscal year.

**Resolution Description/Code:** Optional description and code that provides more detail on the violation’s status. The resolution codes are displayed in the flow charts and examples but not within the report. This is automatically generated but can be overridden by a regulatory authority.

**Resolution Date:** Date associated with the most recent update to the violation’s resolution description. This date is automatically generated but can be manually overridden by a regulatory authority.

**Resolved Violation Status:** Indicates the facility corrected the violation on its own, the violation is system administratively resolved, the permit is terminated, or a regulatory authority responded to the violation with formal enforcement non-penalty final order or a state-issued enforcement action with the final order type “Administrative Penalty Order With or Without

Injunctive Relief” that includes a compliance schedule. This is automatically generated but can be overridden by a regulatory authority.

**Resolved Pending Violation Status:** Indicates when a violation is included in a formal enforcement non-penalty final order or a state-issued enforcement action with the final order type “Administrative Penalty Order With or Without Injunctive Relief” that includes a compliance schedule and the enforcement action has not yet been closed. This is automatically generated but can be overridden by a regulatory authority.

**Statistical Base Limit Type:** Categorizes statistical base codes, or DMR limits, as a monthly average, non-monthly average, or minimum.

**Stay Limit:** Numeric limit value imposed during the period of the stay for the limit. If entered, the system uses this limit value during the stay period for calculating compliance rather than the permit limit value.

**Technical Review Criteria (TRC):** Weighting factor to evaluate effluent exceedances of substantial magnitude and frequency. Violations meet TRC when the reported DMR value exceeds or is equal to the product of the TRC times the effluent limit two or more times during a six-month review period. TRCs are for two groups of pollutants. Group I pollutants have TRC = 1.4 and Group II pollutants have TRC = 1.2.

**Six-Month Review Period:** Six-month window used to evaluate effluent violations for Category I noncompliance. The windows move in one-month rolling periods and are not limited to the calendar quarters.

**Unresolved Violation Status:** Indicates when the facility has not corrected the violation on its own or the regulatory authority has not entered a formal enforcement non-penalty final order or a state-issued enforcement action with the final order type “Administrative Penalty Order With or Without Injunctive Relief” that includes a compliance schedule.

**Value Type:** Unique code identifying a limit or DMR value type (i.e., Quantity 1, Quantity 2, Concentration 1, Concentration 2, Concentration 3).

**Violation Category:** 40 CFR §123.45 requires every violation to be designated as a Category I or II noncompliance. The regulation includes specific criteria for Category I noncompliance. All violations that do not meet Category I criteria must be designated as Category II.

**Violation (End) Date:** End date of the violation.

**Violation Start Date:** Start date of the violation. Not applicable for effluent exceedance violations.

**Violation Type:** There are four types of violation generated in the ICIS-NPDES data system. DMR violations are either an effluent exceedance violation (E90) or a DMR reporting violation

(D80/D90). There are also schedule event violations (C10, C20, C30, C40) or single event violations (SEV), which each have distinct codes.

**Window End Date:** End day of the six-month review period for effluent exceedance violations. The six-month windows move in one-month rolling periods and are not limited to the calendar quarters.

**Window Start Date:** Start date of the six-month review period for effluent exceedance violations. The six-month windows move in one-month rolling periods and are not limited to the calendar quarters.