



At a Glance

Catalyst for Improving the Environment

Why We Did This Review

Senator Barbara Mikulski asked us to evaluate whether EPA Region 3 is overseeing the National Pollutant Discharge Elimination System (NPDES) permit program properly. We agreed to provide a review responding to five questions.

Background

Since 1972, the NPDES permit program has controlled water pollution by regulating point sources that discharge pollutants into United States waters. In most cases, authorized States administer the program. EPA is responsible for overseeing State implementation of the program.

For further information, contact our Office of Congressional and Public Liaison at (202) 566-2391.

To view the full report, click on the following link:

www.epa.gov/oig/reports/2005/20041029-2005-S-00002.pdf

Congressionally Requested Review of EPA Region 3's Oversight of State National Pollutant Discharge Elimination System Permit Programs

What We Found

The review answers five specific questions:

- 1. What are the statutory and regulatory requirements that EPA must follow for conducting oversight of State NPDES programs?** The oversight requirements in the law are limited, but requirements are in the regulations.
- 2. How many major and minor NPDES permitted sources are in Region 3 States?** Of the 7,499 traditional NPDES permitted sources in the Region, 750 are major sources and 6,749 are minor sources with individual permits.
- 3. How many inspections and enforcement actions were taken?** According to the information in the Permit Compliance System, from October 1, 2002, to August 9, 2004, Region 3 and States inspected 3,729 permittees and took 205 enforcement actions. However, States do not report all of their actions in the system.
- 4. What are Region 3's procedures for ensuring that States comply with grant work plans?** EPA Order 5700.6, entitled *Policy on Compliance, Review and Monitoring*, is the official policy that the Regions should follow to ensure grant recipients are complying with grant work plans. In Region 3, multiple people within the Water Division manage the grants. The project officers rely on technical staff in the Division to obtain some of the reports States should submit and inform them if they are having problems with a State. The Region also conducts joint evaluations with States regarding the grant work plan.
- 5. What are Region 3's procedures for ensuring that States are monitoring permits and taking timely enforcement actions?** Region 3 uses various tools for overseeing States, including (a) reviewing information in the Permit Compliance System, (b) making quarterly calls with States, (c) carrying out Federal inspections and enforcement actions, and (d) reviewing State programs.