



A Guide to the Office of Water Accountability System and Mid-Year Evaluations

Fiscal Year 1987

A
GUIDE TO THE
OFFICE OF WATER
ACCOUNTABILITY SYSTEM
AND
MID-YEAR EVALUATIONS

Fiscal Year 1987

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I. INTRODUCTION

In FY 1987, the Office of Water will continue to conduct formal, coordinated evaluations of Regional water programs. The purpose of these reviews is to evaluate Regional performance in achieving National program objectives for the year, and to help ensure National consistency in implementation of Federal laws and regulations.

[This guide contains the accountability measures that the Office of Water will use to monitor Regional performance, and describes the process that the Office of Water will use to evaluate Regional water programs in FY 1987. The guide should be used in conjunction with the Agency's FY 1987 Operating Guidance, which sets forth the National objectives for water programs.]

II. THE OFFICE OF WATER ACCOUNTABILITY SYSTEM

The Office of Water Accountability System consists of a set of qualitative and quantitative measures that provide the basis for evaluating Regional Office performance against National program objectives. The measures in the system include all measures included in the Strategic Planning and Management System as well as additional qualitative and quantitative measures which are needed to fully evaluate performance against the Office of Water's FY 1987 national program objectives. In general, the measures from the Strategic Planning and Management System relate to selected areas of the Agency's Priority List and are among the highest priority program activities. They are not intended to provide a comprehensive picture of every program area and are supplemented by the additional measures contained in this guide.

The structure of the FY 1987 Office of Water Accountability System remains essentially the same as the FY 1986 system. The following is a brief description of the accountability system, which is presented fully in Appendix A and B.

A. Appendix A: The Measures

Appendix A presents the measures which comprise the Office of Water Accountability System. It is structured as a series of charts by the program areas which appear in the Agency Operating Guidance for FY 1987. The charts contain the following categories of information:

Activity Areas: These are the high priority activities that are included in the Agency Operating Guidance for FY 1987 and which Regions and States should undertake in order to carry out National program objectives. The Office of Water does not expect the Regions to address every area. Rather, each Region should identify its key program areas, and should focus on those activities that are relevant to its particular circumstances. At the time of the mid-year evaluations, however, the Region will be asked to identify activity area(s) that are not considered to be priorities and to explain how the Region arrived at its decision.

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Reporting Measures: The reporting measures are designed to generate the key data and information that the Office of Water needs to evaluate Regional progress towards achieving National program objectives. There are two kinds of reporting measures:

- ° Qualitative measures are the specific questions that Regions are expected to address during the Office of Water mid-year evaluations. The measures relate primarily to program accomplishments and effectiveness, and generally do not involve prenegotiated commitments.
- ° Quantitative measures provide the kinds of information that the Office of Water needs for program management and reporting purposes and for responding to Congressional inquiries. These measures include all measures included in the Strategic Planning and Management System (SPMS), as well as some unique to the Office of Water system. Several of these measures involve prenegotiated commitments with the Regions (see Section below).

In SPMS/Commitment: This column 1) designates those measures that appear in the FY 1987 Strategic Planning and Management System and 2) identifies whether or not the measure involves a prenegotiated commitment between the Office of Water and the Regions. A prenegotiated commitment may exist for measures which appear either in the Agency's Strategic Planning and Management System (SPMS) or in the Office of Water Accountability Systems (OW) only. This column relates to quantitative measures.

Reporting Frequency: This column conveys the planned reporting schedule for specific prenegotiated commitments and any data lags.

Source of Data: This final column identifies the means by which the Regions provide information to the Office of Water. Where there are existing data systems such as the Grants Information Control System (GICS), the Permits Compliance System (PCS), and the Federal Reporting Data System (FRDS), the information will usually be drawn from that source. In other instances, information will be obtained from State or other reports such as grant work programs, 305(b) reports, or monitoring and tracking records.

The measures in the accountability system will provide the Office of Water with much of the information necessary to monitor Regional performance in water programs. The accountability system is not intended to provide all the information that the Office of Water needs during the year (see Section III), nor to limit the kinds of information that Regions may need for overview of State water programs. As part of its overview function, the Region is expected to gather the basic information to prepare its mid-year self-evaluation and to participate effectively in the Office of Water mid-year evaluations. Regions may, however, seek additional information from States through program audits or other activities, and may choose to evaluate State management of water program activities that are not covered in the Office of Water guidance or accountability system.

B. Appendix B: The Definitions

Appendix B contains detailed, technical information that more clearly defines some of the quantitative measures contained in Appendix A. These definitions explain the manner in which the Region is expected to report the required information to the Office of Water. For some measures, it also establishes a specific level of performance that each Region is expected to achieve during the quarter/fiscal year, and explains how the Office of Water plans to evaluate performance in these areas.

III. THE OFFICE OF WATER EVALUATION SYSTEM

The following is a brief description of the ways in which the Office of Water plans to collect information and to evaluate Regional performance.

A. Prenegotiated Commitments and Quarterly Reporting

Many quantitative measures in the accountability system require pre-negotiated commitments. The commitment-setting process will be carried out in conjunction with that of the Strategic Planning and Management System and will follow the same schedule. In July and August of 1986, the Office of Water program offices negotiate with the Regions to set specific target levels of activity for the quantitative measures in the accountability system. The Regions and the Office of Water use the following process to reach agreement on all prenegotiated commitments:

- ° Program offices will negotiate targets based on the quantitative measures in the FY 1987 accountability system; the Assistant Administrator must personally approve any requests for prenegotiated commitments beyond those included in the final FY 1987 system.
- ° Program Office Directors will initiate the original data requests which will be addressed to the Regional Water Management Division Directors.
- ° Program office data requests will identify significant program assumptions, reporting frequency, and reporting mode; each data request should cross-reference the pertinent measure in the FY 1987 Office of Water Accountability System.
- ° Program offices will negotiate commitments based on workload and output projections. Negotiations will start from zero base, with Regions developing the initial target; the program offices will analyze the Region's output estimates to assure that they are consistent with performance expectations, and will accept the Region's estimates unless there is practical evidence or other valid reason to suggest that an alternative output estimate is more appropriate. Several measures include commitments from States. In these instances, Regions will negotiate commitments with their States to support national priorities and performance expectations and submit State commitments to the program offices.

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- ° Once staff level negotiations are complete, the Assistant Administrator will submit agreed upon commitments for those measures included in SPMS to the Office of Management Systems and Evaluation (OMSE); copies of enforcement performance commitments are also to be submitted to the Office of Enforcement and Compliance Monitoring (OECM). Regional Administrators will also be asked to submit the SPMS commitments to OMSE. Commitments for those measures included in the Office of Water Accountability System only will be sent by the Assistant Administrator to the Regional Administrator for review and approval. The Regional Administrator should approve the final commitments.

The Office of Management Systems and Evaluation will provide specific instructions on the exact schedule to be followed in submitting SPMS commitments. Based upon previous schedules, both Regional Administrators and the Office of Water will be required to submit SPMS commitments in late August or early September. Any disagreements between the Regions and the Office of Water are to be discussed personally between the Assistant Administrator and the Regional Administrator prior to this submission. Any still unresolved differences are to be mediated by OMSE and OECM or, if necessary, ultimately resolved by the Deputy Administrator by mid-September. This is to allow for publishing the SPMS commitments by the beginning of the fiscal year, October 1, 1986.

SPMS quarterly reports are submitted by the Office of Water to the Office of Management Systems and Evaluation on the fifteenth day after a quarter's end. Copies of these reports are sent by OMSE to the Regional Administrators and by the Office of Water to the Water Management Division Directors. To meet the reporting deadline, each program office works with the Regions to obtain the requisite information, generally within 10 days of the quarter's end. When data are retrieved from an automated information system the program office will establish a pull date which will form the basis of the report.

B. Mid-year Evaluations

The Office of Water will conduct formal, coordinated mid-year evaluations in each of the ten Regions. The evaluations will be based on the quantitative and qualitative measures in the FY 1987 accountability system, and the discussions in each Region will focus on its particular problems and issues. The Office of Water plans to use the established evaluation process as in FY 1986. The following is a description of that process.

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1. Advance Preparation

Early in FY 1987, the Office of Water will begin to schedule the formal evaluations which will occur during the months of May and June. Each Region is encouraged to adjust its mid-year evaluations of State water programs so that these reviews are completed prior to the Office of Water evaluation.

At least four weeks prior to the scheduled formal evaluation, each Region must provide a summary of Regional and State progress to date in major National program areas. These should be succinct self-evaluations in which the Region identifies its key problems and issues, as well as its success(es) to date in meeting National program objectives, based on both the quantitative and qualitative measures in the 1987 Office of Water Accountability System. The Region is also encouraged to look back at its FY 1986 end-of-year status, and to provide an analysis of its progress since that time, identifying by program whether it has been outstanding, fully successful, or unsatisfactory. While there is no required format for the self-evaluations, some program offices may provide suggested formats for use by the Regions. The Office of Water will use these summaries as discussion documents during the on-site visits.

Each Region should also submit a proposed agenda for the Technical Review Session (see below). This proposed agenda should be based upon the Region's review of its State programs and its self-evaluation, and it should highlight areas of special concern to the Region; areas of concern may include technical issues, as well as interpretation of national policy directions. Proposed agendas should include a block of time to discuss the issues that are common across water program areas, as well as unique projects that have involved significant Regional effort during the year. Each Region will be provided with a final agenda at least two weeks in advance of the on-site evaluation.

The Office of Water program offices will review each Region's evaluation and its proposed agenda, and will identify any additional issues that may be of concern. The Office of Water will then work closely with each Region to modify the agenda based on its review of the Region's self-evaluation, as well as other data collected through routine activities, such as quarterly reporting.

2. On-site Evaluations

The formal on-site evaluations will consist of a Technical Review Session followed by a Senior Management Session. The duration of the Technical Review Session will be based on the nature and extent of the problems that are identified, and will vary from two to three days in each Region.

A Technical Review team will conduct the evaluation sessions. It will be led by a Division Director and will have representatives from: regulations and standards, permits and enforcement, construction grants, drinking water, ground water, and marine and estuarine programs.

The Technical Review Sessions will be conducted as separate breakout sessions in specific program areas. Some time will also be set aside for full group discussion of issues that cross program areas; this discussion should occur after the breakout sessions so that all participants are informed of the issues. At the conclusion of the Technical Review Session, the Office of Water review team will collaborate with the Region's staff to identify the general issues and findings that both parties agree should be discussed at the follow-up Senior Management Session. A preliminary draft report will be prepared summarizing the Review Team's conclusions. The Region will have an opportunity to review this report and to provide further information prior to the follow-up Senior Management Session.

The one-day Senior Management Session will occur approximately one week after the initial Technical Review Session. The specific purpose of this meeting is to reach a mutual understanding regarding how the Region plans to deal with key findings and unresolved concerns that emerged during the Technical Review Session.

The group will be led by the Assistant Administrator (AA) or Designee; team members may include the Technical Review Team leader and selected Office Directors. Regional participants should include the Regional Administrator (RA) and/or the Deputy Regional Administrator (DRA), as well as the Water Division Director (WDD), and, if appropriate, the Environmental Services Division Director.

The evaluation report that was prepared at the conclusion of the Technical Review Session will serve as the basis for the Senior Management discussion. Prior to the session with the RA or DRA, the Senior Management Team and the WDD will meet to discuss the key issues raised in the report, and, if appropriate, will reach agreement on how the Region plans to deal

with these issues. These agreements and any remaining, unresolved issues will be discussed with the RA or DRA in an effort to arrive at decisions regarding how they will be handled.

3. Evaluation Follow-up

Following the Senior Management Session, the Office of Water will prepare a memo that summarizes the key issues that were discussed and outlines any commitments that were made at the Senior Management Session. These memos will not be comprehensive summaries of all the issues discussed, but will focus on critical issues, the agreements that were reached, and other actions (if any) that may be required to resolve any outstanding issues. The Regions are encouraged to respond to these memos and to apprise the Assistant Administrator of actions that resulted from the evaluation findings.

C. Other Office of Water Information Collection Activities

While the accountability system and the mid-year evaluations will provide the Office of Water with much of the critical information necessary to overview Regional water programs, these reviews are not intended to provide all the data that program offices need to monitor ongoing activities in the Regions and States and to respond to special requests from the Congress, the Administrator or the Assistant Administrator. Consequently, there will be a need for program offices to collect data and information from the Regions outside the formal accountability system. The Office of Water remains committed to keeping these information requests to a minimum, and to coordinating activities between the program offices to the extent possible.

The following are the main, ongoing information collection activities that the Office of Water anticipates during FY 1987:

- ° Budget: The Office of Water will ask the Regions to provide the information necessary to prepare the annual budget request. Regions will also participate in the workload analysis that serves as the basis for distributing resources among the Regions. Regions may also periodically be asked to provide incidental information related to the budget process.

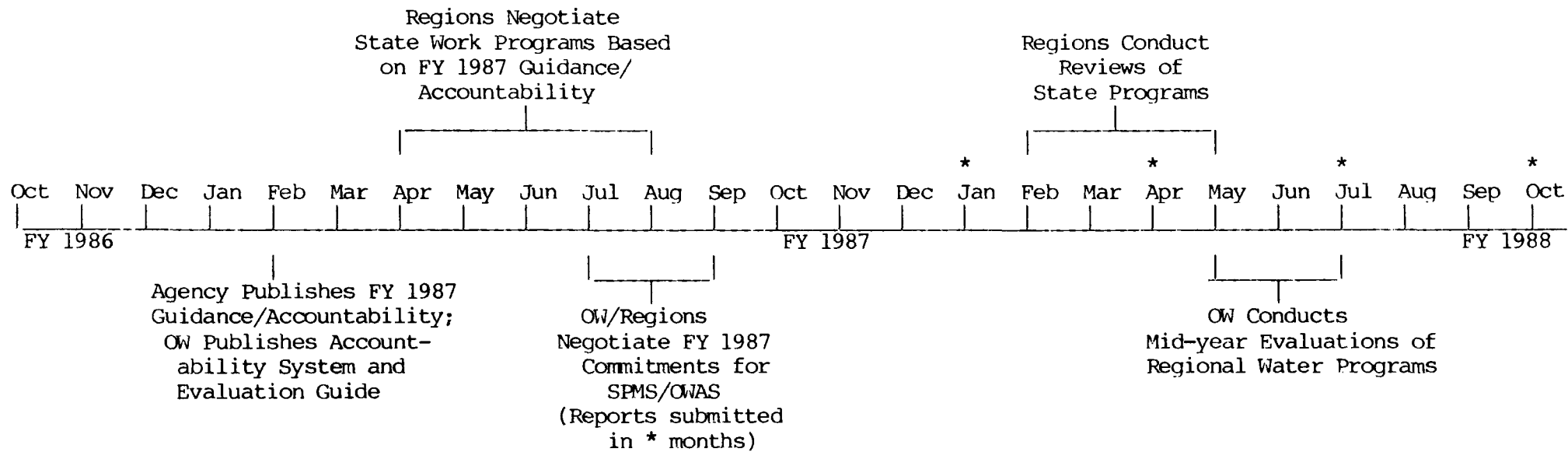
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- ° Quarterly Reporting: Regions will submit quarterly, semi-annual or annual reports to the Office of Water to monitor prenegotiated commitments and measures without commitments where such data cannot be tracked through national data retrieval systems (see above). The Office of Water will supply the appropriate information for the Strategic Planning and Management System to the Office of Management Systems and Evaluation.
- ° Data Retrieval: The Office of Water will retrieve quantitative data from existing management information systems, such as the Permits Compliance System (PCS), the Grants Information Control System (GICS), and the Federal Reporting Data System (FRDS).
- ° Annual Work Programs/Strategies: The Office of Water will review Regional documents that are submitted on a routine basis, such as the section 106/205(j) work programs, the State section 305(b) reports, and the annual plans and evaluation results from section 205(g) delegation agreements. The Office of Water will also review the Regional and State strategies called for in the FY 1987 accountability system.
- ° Program Audits: The Office of Water will continue to conduct selected program audits and case studies on an as needed basis to track critical activities. Examples include staff level audits of the construction grants and permits and compliance programs, which typically will occur prior to the Office of Water mid-year evaluations. The program offices will plan and negotiate these essential activities with the Regions, and will conduct these activities jointly to the extent possible.
- ° Self-evaluation Reports: Regions will submit mid-year self-evaluations that summarize their progress-to-date as it relates to the Office of Water's national program objectives (see preceding section for details).
- ° State Mid-Year Evaluation Reports: Regions will submit a copy of the mid-year evaluation report for each State. This report will include findings, follow-up activities, and State comments on the report's findings.

The information produced by these activities will be used for ongoing program management purposes, and will also be used to help identify issues and concerns that need to be discussed during the mid-year evaluations.

TIMELINE FOR ACTIVITIES
RELATED TO THE FY 1987 OFFICE OF WATER
OPERATING GUIDANCE AND ACCOUNTABILITY SYSTEM

REGIONAL ACTIVITIES



OFFICE OF WATER ACTIVITIES

APPENDIX A

MUNICIPAL POLLUTION CONTROL

Manage Transition To State/Local Self-Sufficiency

<u>ACTIVITIES</u>	<u>QUALITATIVE MEASURES FOR MID-YEAR REVIEWS</u>	<u>QUANTITATIVE MEASURES</u>	<u>IN SPMS/ COMMITMENT?</u>	<u>REPORTING FREQUENCY</u>	<u>SOURCE OF DATA</u>
1. Assist communities in developing municipal compliance plans (MCP's) supporting expeditious compliance with <u>National Municipal Policy</u> .	(A) Has the Regional Office analyzed all active grants affected by National Municipal Policy (NMP) and assured that project schedules and completion dates are both realistic and consistent with enforcement schedules.	(a) # of construction grants NMP projects which initiate operations during FY 1987.	Yes/SPMS WQ-21	Quarterly	GICS Report (to be developed)
2. Assure that Projects are within the financial and management capability of the community and users, and are technologically appropriate.	(A) Is the Region overseeing delegated States to ensure compliance with financial capability/user charge requirements, and to assure identification and resolution of potential problem projects?				

MUNICIPAL POLLUTION CONTROL

Ensure Effective State/Regional Management

<u>ACTIVITIES</u>	<u>QUALITATIVE MEASURES FOR MID-YEAR REVIEWS</u>	<u>QUANTITATIVE MEASURES</u>	<u>IN SPMS/ COMMITMENT?</u>	<u>REPORTING FREQUENCY</u>	<u>SOURCE OF DATA</u>
1. Manage State/Regional Grant Disputes Resolution Procedures and Tracking Systems to Monitor States.	(A) Are the Regions meeting the time-based goals established during FY 1986?	(a) the number of assistance disputes arising under 40 CFR Part 30, Subpart L filed before FY87 for which decisions are issued by the RA, or which are settled or withdrawn.	Yes/SPMS WQ-22	Quarterly	Regional Submission
2. Effectively Manage Delegation of the Construction Grants Program.	(A) Describe how the Region has implemented the performance-based grants policy with each State and, where necessary, what improvement has occurred. (B) What is the Region's strategy and implementation plan for maintaining technical competence and skill mix, delegation and oversight, technical assistance responsibilities, and direct EPA construction grant and O&M management responsibilities?				

MUNICIPAL POLLUTION CONTROL

Ensure Effective Construction/Program Integrity

<u>ACTIVITIES</u>	<u>QUALITATIVE MEASURES FOR MID-YEAR REVIEWS</u>	<u>QUANTITATIVE MEASURES</u>	<u>IN SPMS/ COMMITMENT?</u>	<u>REPORTING FREQUENCY</u>	<u>SOURCE OF DATA</u>
1. Manage Priority Lists and projects schedules to improve water quality.	<p>(A) What environmental results have been achieved and are expected in the future from Construction Grant funding? How do the Regions and States measure these results?</p> <p>(B) How is project priority list management used in support of National Municipal Policy (NMP). Has the Region identified and taken steps to ensure the earliest feasible grant award for all projects on the fundable and planning portions of the State Priority Lists requiring compliance with the National Municipal Policy (NMP)? Are proposed construction and enforcement schedules realistic and consistent?</p>				
2. Conduct CME's.	(A) Is the CME/PMC program being used effectively? Does the information derived from this program provide useful feedback for assessing the grant program? Are PMC's conducted on all Step 3 & Step 4 projects, unless past experience has demonstrated that a PMC is not needed?	(a) # of CMEs.	No/OW	Quarterly	Regional Submission

MUNICIPAL POLLUTION CONTROL

Ensure Effective Construction/Program Integrity (cont.)

<u>ACTIVITIES</u>	<u>QUALITATIVE MEASURES FOR MID-YEAR REVIEWS</u>	<u>QUANTITATIVE MEASURES</u>	<u>IN SPMS/ COMMITMENT?</u>	<u>REPORTING FREQUENCY</u>	<u>SOURCE OF DATA</u>
3. Stimulate development or improvement of State sludge mgmt. programs.	(A) Which States are preparing and submitting program plans consistent with final State program Regulations (40 CFR 501)? Are the States and Regions scheduling the development, submission, review, and approval of State sludge management programs under 40 CFR 501? How do the States/Regions ensure compliance with applicable Federal sludge use and disposal criteria?				
4. Conduct and Evaluate AT Reviews.	(A) Is the Region ensuring that each AT process approved for funding would definitely result in significant water quality and public health improvements, thereby qualifying for assumption of AT review responsibility for AT projects with incremental costs over \$3 million? If reviews of less than \$3 million are delegated to the States, is the AT process being conducted in accordance with overall program objectives?				

MUNICIPAL POLLUTION CONTROL

Ensure Effective Construction/Program Integrity (cont.)

<u>ACTIVITIES</u>	<u>QUALITATIVE MEASURES FOR MID-YEAR REVIEWS</u>	<u>QUANTITATIVE MEASURES</u>	<u>IN SPMS/ COMMITMENT?</u>	<u>REPORTING FREQUENCY</u>	<u>SOURCE OF DATA</u>
5. Oversee the Corps IAG to see that Work-plan Commitments are Achieved.	(A) Is the Region overseeing the Corps IAG to ensure that negotiated resource and output commitments are met?	(a) % of Corps utilization vs. target.	No/No	Quarterly	Reporting Developed by Corps Divisions and Region.
		(b) # of final construction inspections conducted by the COE.	No/OW	Quarterly	Reporting Developed by Corps Divisions and Region.
		(c) # of Project Management Conferences (PMC's) conducted by the COE.	No/OW	Quarterly	Reporting Developed by Corps Divisions and Region.

MUNICIPAL POLLUTION CONTROL

Ensure Effective Construction/Program Integrity (cont.)

<u>ACTIVITIES</u>	<u>QUALITATIVE MEASURES FOR MID-YEAR REVIEWS</u>	<u>QUANTITATIVE MEASURES</u>	<u>IN SPMS/ COMMITMENT?</u>	<u>REPORTING FREQUENCY</u>	<u>SOURCE OF DATA</u>
A-6 6. Improve technical aspects of program management to promote best use of available funds.	(A) How is the Region using "feedback to design" information, implementing 100% M/R activities, and updating the data base file system of the I/A program?				
	(B) Are the Regions/States managing the VE program to assure maximum savings are achieved?				
	(C) How are the Regions and States implementing the ICR recommendations resulting from the FY 1986 ICR's?				
7. Manage Grants Efficiently.	(A) Does the Region have an effective strategy for managing project schedules for all municipal treatment works construction grant projects?	(a) Total dollar value (grant amounts) in pre-construction lag status expressed as a percent of annual allotment.	No/No	Quarterly	CGP-0080 CGP-0086
	(B) Does the Region/State have an effective strategy for minimizing unliquidated balances?	(b) # of delayed Step 2+3 projects moved to plan and spec. approval.	No/OW	Quarterly	GICS Report To Be Deve- loped.

MUNICIPAL POLLUTION CONTROL

Expeditionously Complete and Close-out Projects

<u>ACTIVITIES</u>	<u>QUALITATIVE MEASURES FOR MID-YEAR REVIEWS</u>	<u>QUANTITATIVE MEASURES</u>	<u>IN SPMS/ COMMITMENT?</u>	<u>REPORTING FREQUENCY</u>	<u>SOURCE OF DATA</u>
1. Eliminate Backlogs and Manage Grants Efficiently.	(A) Are projects closed out in a timely manner, generally within six months of FDL/dispute resolution?	(a) # of Step 3, 2+3, and PL 84-660 projects initiating operation.	No/OW	Quarterly	CGP-2330 CGP-2270
		(b) # of Step 3, 2+3, and PL 84-660 administrative completions.	No/OW	Quarterly	CGP-2330 CGP-2280
	(B) Is there a project-specific strategy which includes an approved schedule, for completing all remaining Step 1 and Step 2 projects?	(c) # of Step 1 and Step 2 and backlogged Step 3, 2+3, and PL 84-660 projects administratively completed.	Yes/SPMS WQ-23	Quarterly	CGP-2500 CGP-2510 CGP-2345
	(C) What actions have the Regions and States taken to manage a claims reduction program?				

MUNICIPAL POLLUTION CONTROL

Improve Program Management

<u>ACTIVITIES</u>	<u>QUALITATIVE MEASURES FOR MID-YEAR REVIEWS</u>	<u>QUANTITATIVE MEASURES</u>	<u>IN SPMS/ COMMITMENT?</u>	<u>REPORTING FREQUENCY</u>	<u>SOURCE OF DATA</u>
1. Manage Program to Meet Outlay and Obligation Projections.	(A) What measures are being taken by Region/States/COE to manage grant outlays?	(a) % of cum. net outlays to commitment.	Yes/SPMS WO-24	Monthly/ Quarterly	Financial Management Report CGM-15
	(B) What are net obligations on a state-by-state, source-by-source, quarter-by-quarter basis?	(b) % of cum. gross quarterly obligations to commitment.	No/OW	Quarterly	Financial Management Report EPA 92-500
2. Effectively Manage GICS to Improve Usage for Program Management.	(A) Is the Region managing GICS so that it is reliable and accurate, supportive of program priorities, utilized as an effective management tool by delegated States, and is readily available to end-users?				

MUNICIPAL POLLUTION CONTROL

Improve Facility Performance

<u>ACTIVITIES</u>	<u>QUALITATIVE MEASURES FOR MID-YEAR REVIEWS</u>	<u>QUANTITATIVE MEASURES</u>	<u>IN SPMS/ COMMITMENT?</u>	<u>REPORTING FREQUENCY</u>	<u>SOURCE OF DATA</u>
1. Improve Facility Performance.	<p>(A) Are States effectively implementing an onsite operator training and technical assistance program for bringing small facilities into compliance? Are POTW's, which were returned to compliance following an OME, generally remaining in compliance?</p> <p>(B) Are Regions/States effectively coordinating operator training, O&M, technical assistance, Construction Grants, and permit compliance programs in support of NMP implementation?</p> <p>(C) Are States establishing and implementing more compliance-oriented and self-sustaining O&M/operator training programs?</p>	(a) # of minor POTWs returned to compliance or meeting schedules for corrective actions to return to compliance as a result of an Operations Management Evaluation (OME).	Yes/SPMS WQ-25	Second/ Fourth Quarter	State Qrtly Grant Reports

MUNICIPAL POLLUTION CONTROL

Improve Facility Performance (cont.)

<u>ACTIVITIES</u>	<u>QUALITATIVE MEASURES FOR MID-YEAR REVIEWS</u>	<u>QUANTITATIVE MEASURES</u>	<u>IN SPMS/ COMMITMENT?</u>	<u>REPORTING FREQUENCY</u>	<u>SOURCE OF DATA</u>
1. Improve Facilities Performance (cont.)	(D) What steps are followed by the Region/States to in- sure that all grantees are able to provide a valid affirmative certification upon the completion of the one year performance period?	(b) % of projects which completed the one year operational period that provide an affirmative certification without requiring corrective actions.	No/No	Second/ Fourth Quarters	GICS Report To Be Deve- loped.
		(c) % of projects requir- ing corrective action which provide affirmative certi- fication in accordance with the schedule contained in the Corrective Action Report.	No/No	Second/ Fourth Quarters	GICS Report To Be Deve- loped.
	(E) What steps are followed to move non-affirmatively certified projects into a corrective action program? What actions are taken with grantees who do not certify?				

MARINE AND ESTUARINE PROTECTION

Ocean Disposal Program

<u>ACTIVITIES</u>	<u>QUALITATIVE MEASURES FOR MID-YEAR REVIEWS</u>	<u>QUANTITATIVE MEASURES</u>	<u>IN SPMS/ COMMITMENT?</u>	<u>REPORTING FREQUENCY</u>	<u>SOURCE OF DATA</u>
1. Prepare Environmental Assessments or Impact Statements and Rule Making Packages for Ocean Dumping Site Designation	(A) Were all concerned Federal and State agencies' comments considered prior to issuance of draft/final assessments or EISs?	(a) # draft/final environmental assessments or impact statements.	Yes/SPMS WQ-27	Quarterly	Contact Regions
	(B) Were all regulatory criteria and factors evaluated and applied consistently among Region's EISs?	(b) # ocean dumping sites designated.	Yes/SPMS WQ-27	Quarterly	Contact Regions
	(C) Were records of decisions clearly and completely documented?	(c) # memoranda of agreement with Corps of Engineers in effect on resources to designate dredged material sites vs. # completed.	No/No	Mid-year Reviews*	Region's Records*
	(D) Were all significant issues satisfactorily addressed in response to comments?				

*Unless otherwise specified Reporting will be at the Region's Mid-year Review and the Source of Data will be the Region's Records.

MARINE AND ESTUARINE PROTECTION

Ocean Disposal Program

<u>ACTIVITIES</u>	<u>QUALITATIVE MEASURES FOR MID-YEAR REVIEWS</u>	<u>QUANTITATIVE MEASURES</u>	<u>IN SPMS/ COMMITMENT?</u>	<u>REPORTING FREQUENCY</u>	<u>SOURCE OF DATA</u>
2. Issue Ocean Disposal Permits and Conduct Monitoring Surveys for Site Designation and Management	(A) What procedures did the Region follow in permit issuance?	(a) # and type of ocean disposal permit applications received.	No/No	Mid-year Review*	Region's Records
	(B) What parameters were chosen to evaluate impacts of ocean disposal activities on the marine environment? How and why were they chosen?	(b) # and type of ocean disposal permits issued.	No/No		
	(C) How was monitoring survey information managed for evaluating the impacts of ocean disposal activity?	(c) # sites surveyed and site survey reports completed.	No/No		
	(D) What procedures will be followed to reevaluate monitoring program effectiveness?				
3. Prepare 403(c) Ocean Disposal Criteria Evaluations (ODCEs) for Outer Continental Shelf Oil and Gas Operations	(A) Were evaluations conducted on the basis of identified priorities?	(a) # ocean disposal criteria evaluations prepared.	No/No		

MARINE AND ESTUARINE PROTECTION

Estuaries and Great Lakes

<u>ACTIVITIES</u>	<u>QUALITATIVE MEASURES FOR MID-YEAR REVIEWS</u>	<u>QUANTITATIVE MEASURES</u>	<u>IN SPMS/ COMMITMENT?</u>	<u>REPORTING FREQUENCY</u>	<u>SOURCE OF DATA</u>
1. Work with States to consider Great Lakes Areas of Concern and in Chesapeake Bay Critical Areas in Developing and Revising Priority Waterbody Lists	<p>(A) To what extent were the Great Lakes Areas of Concern and Chesapeake Bay critical areas considered in the development and revision of the States' priority waterbody lists?</p> <p>(B) What actions did the Great Lakes National Program Office, the Chesapeake Bay Liaison Office, and the Regions take to ensure that these areas have priority and that priority activities to abate problems are underway?</p>	<p>(a) # of Great Lakes Areas of Concern included as priority waterbodies.</p> <p>(b) # of Chesapeake Bay critical areas included as priority waterbodies.</p>	<p>No/No</p> <p>No/No</p>	Mid-year Review*	Region's Records*
2. Review Revised Water Quality Standards (WQS) to Determine Impact on Great Lakes and Chesapeake Bay	(A) At what stage and to what extent were Great Lakes and Chesapeake Bay impacts considered in the revision of WQS? Did the Regions conduct an evaluation of whether the modified use of criteria proposed by States would hinder meeting the objectives of the Great Lakes Water Quality Agreement and the Chesapeake Bay Restoration and Protection Plan?				

MARINE AND ESTUARINE PROTECTION

Estuaries and Great Lakes

<u>ACTIVITIES</u>	<u>QUALITATIVE MEASURES FOR MID-YEAR REVIEWS</u>	<u>QUANTITATIVE MEASURES</u>	<u>IN SPMS/ COMMITMENT?</u>	<u>REPORTING FREQUENCY</u>	<u>SOURCE OF DATA</u>
3. Assess Municipal Compliance for Consistency with Objectives of Great Lakes Water Quality Agreement and to Protect the Critical Areas in Chesapeake	(A) Has compliance with the phosphorus requirement improved over last year? If not, what efforts have GLNPO, the Chesapeake Bay Liaison Office, and the Regions made to increase compliance? What is hindering compliance?	(a) # of Great Lakes major POTWs in compliance with 1 mg/L phosphorus requirement vs. total # of major POTWs.	No/No	Mid-year Review*	Region's Records, PCS, and QNCRs.*
		(b) # of Chesapeake Bay AWT POTWs funded vs. # of AWT POTWs determined to be needed.	No/No		
	(B) Are certain permits targeted for special review due to Great Lakes or Chesapeake Bay concerns? On what basis?	(c) % of total flow from major Great Lakes POTWs meeting the 1 mg/L phosphorus goal or % of total flow from Upper Chesapeake Bay POTWs meeting 2 mg/L phosphorus goal.	No/No		

Estuaries and Great Lakes

<u>ACTIVITIES</u>	<u>QUALITATIVE MEASURES FOR MID-YEAR REVIEWS</u>	<u>QUANTITATIVE MEASURES</u>	<u>IN SPMS/ COMMITMENT?</u>	<u>REPORTING FREQUENCY</u>	<u>SOURCE OF DATA</u>
4. Implement the Great Lakes and Chesapeake Bay Monitoring Programs	(A) What efforts are GLNPO and the Chesapeake Bay Liaison Office making to ensure that the monitoring programs are being implemented and that resources are being used to detect emerging problems as well as for trend monitoring in priority areas?	(a) # of monitoring stations in operation on Chesapeake Bay's mainstem vs. # of monitoring stations planned.	No/No	Mid-year Review*	Region's Records*
		(b) # of mainstem monitoring data sets reviewed and entered in the Chesapeake Bay data base.	No/No		
	(B) What are the results of analyses of tributary monitoring, atmospheric deposition sampling, and lake surveys conducted in the Great Lakes Basin from previous years? Are reductions in loadings and other improvements visible?	(c) # of fixed tributary stations in operation in Great Lakes basin vs. # necessary as negotiated with States.	No/No		
		(d) # of air monitoring stations operated in Great Lakes basin vs. # necessary as negotiated with States.	No/No		
		(e) # of fish collections received by GLNPO vs. # of fish collections necessary as negotiated with States.	No/No		

MARINE AND ESTUARINE PROTECTION

Estuaries and Great Lakes

<u>ACTIVITIES</u>	<u>QUALITATIVE MEASURES FOR MID-YEAR REVIEWS</u>	<u>QUANTITATIVE MEASURES</u>	<u>IN SPMS/ COMMITMENT?</u>	<u>REPORTING FREQUENCY</u>	<u>SOURCE OF DATA</u>
5. Assist States in Implementing NPS Controls in Lake Erie, Lake Ontario, Saginaw Bay, and Chesapeake Bay Basins	(A) What efforts are GLNPO, Regions, the Chesapeake Bay Liaison Office, and States making to ensure NPS implementation of Agricultural BMPs, including work with other Federal agencies?	(a) # of acres in the Great Lakes Basin with BMP's in place vs. # of acres with BMP's in place at the end of FY 1986.	No/No	Mid-year Review*	Region's Records*
	(B) What efforts are GLNPO, Chesapeake Bay Liaison Office, the Regions, and the States making to monitor implementation and its results in Water Quality improvements?	(b) # of acres in the Chesapeake Bay basin with BMP's in place vs. # of acres with BMP's in place at the end of FY 1986.	No/No		
	(C) Have the Great Lakes and Chesapeake Bay States modified their WQM plans to reflect institutional & other arrangements for dealing with NPS pollution? How?				

MARINE AND ESTUARINE PROTECTION

Estuaries and Great Lakes

<u>ACTIVITIES</u>	<u>QUALITATIVE MEASURES FOR MID-YEAR REVIEWS</u>	<u>QUANTITATIVE MEASURES</u>	<u>IN SPMS/ COMMITMENT?</u>	<u>REPORTING FREQUENCY</u>	<u>SOURCE OF DATA</u>
6. Prepare Phosphorus Load Reduction Plans for Lake Erie, Lake Ontario, Saginaw Bay, and Chesapeake Bay	(A) What efforts are GLNPO, the Chesapeake Bay Liaison Office, and the Regions/States making to ensure schedule of appropriate activities, work plan development and interim outputs for the load reduction plans are provided in a timely manner?	(a) # of U.S. Great Lakes Phosphorus Reduction Plan elements being implemented vs. # planned to be underway in FY 1987.	No/No	Fourth Quarter	Contact Regions
7. Implement Study Results in Accordance with the Objectives of the Great Lakes Water Agreement and the Chesapeake Bay Executive Council Directives	(A) What efforts have GLNPO and the Chesapeake Bay Liaison Office made to ensure that pollution control actions are focused on priority projects? How are 106, 205(g) and 205(j) work plans focused on Great Lakes and Chesapeake Bay concerns?	(a) # of elements of Chesapeake Bay Restoration and Protection Plan being implemented vs. # planned to be underway in FY 1987.	No/No	Fourth Quarter	Contact Regions
8. Prepare Remedial Action Plans for Great Lakes Areas of Concern	(A) What efforts are the GLNPO, Regions and States making to ensure appropriate schedules of activities and development of Action Plans?	(a) # of Draft or Final Remedial Action Plan elements being implemented vs. # scheduled for implementation	No/No	Fourth Quarter	Contact Regions

MARINE AND ESTUARINE PROTECTION

Estuaries and Great Lakes

<u>ACTIVITIES</u>	<u>QUALITATIVE MEASURES FOR MID-YEAR REVIEWS</u>	<u>QUANTITATIVE MEASURES</u>	<u>IN SPMS/ COMMITMENT?</u>	<u>REPORTING FREQUENCY</u>	<u>SOURCE OF DATA</u>
9. Undertake Toxicant Mass Balance for Green Bay	(A) Is work plan completed and is field work under- way?	(a) # of milestones in approved work program met vs. # planned. ~	No/No	Mid-year Review*	Region's Records*
10. Reconsi- deration of Great Lakes Water Quality Agreement	(A) Has the response to the Third Biennial Report of the International Joint Commission been prepared and submitted through appropriate channels?				
11. Chesapeake Bay Program Integration	(A) What efforts have been undertaken by the Region to ensure a coordinated approach by all EPA and other Federal programs to meet the water quality needs of Chesapeake Bay?				

MARINE AND ESTUARINE PROTECTION

Estuaries and Great Lakes

<u>ACTIVITIES</u>	<u>QUALITATIVE MEASURES FOR MID-YEAR REVIEWS</u>	<u>QUANTITATIVE MEASURES</u>	<u>IN SPMS/ COMMITMENT?</u>	<u>REPORTING FREQUENCY</u>	<u>SOURCE OF DATA</u>
12. Develop and Implement Marine and Estuarine Protection Programs for Puget Sound Narragansett Bay, Buzzards Bay, and Long Island Sound and Other Estuaries, as Appropriate	(A) Have the work plans been signed off by the Implementation Committee to assure that programs are being developed, including problem identification, pollutant load quantification, and assessment of system impacts for each of these major estuarine areas?	(a) Appropriate management structures in place, operational, and working effectively.	No/No	Mid-year Review*	Region's Records
		(b) Long-term work plan in place for estuary study.	No/No		
		(c) # of initial problem definition activities for new estuaries.	No/No		
		(d) Characterization studies on schedule or completed.	No/No		
	(B) What efforts have the States made to implement technical and generic guidance in the implementation of approved work plans for estuary studies?	(e) Master environmental plans on schedule.	No/No		
		(f) Appropriate public participation programs being implemented.	No/No		
	(C) Discuss approach States/Regions use to effectively manage FY 1987 work plans? Discuss how progress toward solving environmental problems in the individual estuary programs is being evaluated?	(g) # of projects underway.	No/No		
		(h) # of inter- and intra-agency program integration efforts in-place in the individual estuary offices and Headquarters.	No/No		

MARINE AND ESTUARINE PROTECTION

Estuaries and Great Lakes

<u>ACTIVITIES</u>	<u>QUALITATIVE MEASURES FOR MID-YEAR REVIEWS</u>	<u>QUANTITATIVE MEASURES</u>	<u>IN SPMS/ COMMITMENT?</u>	<u>REPORTING FREQUENCY</u>	<u>SOURCE OF DATA</u>
	(D) What are the scientific/technical activities between program participants, ORD, other EPA programs, and the contributions to national technical document development?	(i) # of technical/scientific workshops, technical advisory committee meetings and peer review activities, and other technical resource involvement for Regional and local programs.	No/No	Mid-year Reviews*	Region's Records*
		(j) Monitoring program design and/or reassignment on schedule.	No/No		
A-20 13. Implement Chesapeake Bay Data Management	(A) What actions are Region/States taking to improve quality of data entered into Bay data base?	(a) # and size of data sets planned for entry into Bay data base vs. # and size of data sets entered?	No/No		
	(B) What actions are Region/States taking to coordinate data management activities affecting Bay program?	(b) # of activities listed in 9/85 Bay plan directly supported by Bay data base?	No/No		
	(C) What are Region/State procedures for acquiring, entering, and verifying data entered into Bay data base? How current are data entered?				
	(D) What action is Region taking to make Bay data base available to eligible computer center users?				

MARINE AND ESTUARINE PROTECTION

Estuaries and Great Lakes

<u>ACTIVITIES</u>	<u>QUALITATIVE MEASURES FOR MID-YEAR REVIEWS</u>	<u>QUANTITATIVE MEASURES</u>	<u>IN SPMS/ COMMITMENT?</u>	<u>REPORTING FREQUENCY</u>	<u>SOURCE OF DATA</u>
	(E) How does data coordinated through Bay data management system support Bay plan?			Mid-year Review*	Region's Records*
14. Implement Chesapeake Bay modeling program	(A) Describe how modeling activities underway support Bay plan goals? (B) How have Modeling Sub-committee and/or modeling experts been engaged in directing modeling activities? (C) How effective have modeling activities been in identifying the most important sources and fate of nutrients in Bay? (D) How have findings of modeling activities to date affected Bay program management decisions?	(a) Provide summary of results of modeling runs to date.	No/No		
15. Implement Chesapeake Bay Communications Strategy	(A) What major activities supporting Bay Communications Strategy have been implemented? Are the Citizens Advisory Committee and Scientific and Technical Advisory Committees participating fully in Bay program?				

MARINE AND ESTUARINE PROTECTION

Marine Discharge Waivers

<u>ACTIVITIES</u>	<u>QUALITATIVE MEASURES FOR MID-YEAR REVIEWS</u>	<u>QUANTITATIVE MEASURES</u>	<u>IN SPMS/ COMMITMENT?</u>	<u>REPORTING FREQUENCY</u>	<u>SOURCE OF DATA</u>
1. Review §301(h) Applications and Issue Permits	(A) Was all available information considered in evaluating applications?	(a) # complete applica- tions	No/No	Mid-year Review*	Region's Records*
	(B) Were decisions clearly and completely documented?	(b) # intents to revise	No/No		
	(C) Were all criteria evalua- ted and applied consistently among Region's applications?	(c) # withdrawals	No/No		
		(d) # initial decisions	No/No		
		(e) # final decisions	No/No		
	(D) Were dischargers with the greatest potential for adverse impacts evaluated on a priority basis?	(f) # permits issued reflecting decisions	Yes/SPMS WQ-26	Quarterly	Contact Regions
	(E) How quickly are final decisions implemented through permit revisions?	(g) # approved/successful monitoring programs in operation.	No/No	Mid-year Review*	Region's Records*
	(F) Do permits consistently assure that the monitoring provisions of §301(h) decisions are transformed into specific enforceable requirements for use in assessing ongoing compliance with the §301(h) criteria?	(h) # monitoring programs with provision for QA-QC planning.	No/No		

GROUND-WATER PROTECTION

State Ground-Water Program Support

<u>ACTIVITIES</u>	<u>QUALITATIVE MEASURES MID-YEAR REVIEWS</u>	<u>QUANTITATIVE MEASURES</u>	<u>IN SPMS/ COMMITMENT?</u>	<u>REPORTING FREQUENCY</u>	<u>SOURCE OF DATA</u>
1. Implement Sec.106 Grant program for ground-water in accordance with guidelines and FY 1987 budget allocations.	(A) To what extent are National/Regional guidelines reflected in administration of the grant program?	(a-1) Number of grants awarded to States and territories within 60 days after full allocation is available.	No/No	Jan. 31, May 30,* Sept. 30	106 work prog/Reg visits, regional records.
	(B) Are the ground-water grants coordinated effectively with W.Q., UIC, Waste Management, FIFRA and TSCA grants and what is the process?	(a-2) Number of State mid-year reviews and follow-up meetings, and special workshops conducted with States.	No/No	Jan. 31, May 30, Sept. 30	Regional records.
2. Monitor State programs, conduct mid-year reviews and assist States with program management problems.	(A) What specific benefits are attributed to EPA funded State ground-water programs?	(a-1) Number of State strategies completed? (a-2) Number of State strategies still under development?	No/No	Jan. 31, May 30,* Sept. 30	Regional records.
	(B) Do States have strategies with appropriate elements that have statewide impact?		No/No	Jan. 31, May 30,* Sept. 30	Regional records.

GROUND-WATER PROTECTION

EPA Ground-Water Focus and Coordination

<u>ACTIVITIES</u>	<u>QUALITATIVE MEASURES MID-YEAR REVIEWS</u>	<u>QUANTITATIVE MEASURES</u>	<u>IN SPMS/ COMMITMENT?</u>	<u>REPORTING FREQUENCY</u>	<u>SOURCE OF DATA</u>
1. Provide support and assistance to internal coordinating committees to ensure a rational and consistent approach to Regional ground-water protection efforts and programs.	(A) How has the coordinating committee and/or the Regional Office of Ground-Water been engaged in specific substantive reviews of those Regional programs impacting ground-water.	(a-1) What committees and/or subcommittees exist? (a-2) The number of times committee meets.	No/No	Jan. 31, May 30,* Sept. 30	Regional records.
	(B) How has the coordinating committee directed or redirected resources or affected policy to focus attention on priority ground water problems and the Region's ground-water program?		No/No	Jan. 31, May 30,* Sept. 30	Regional records.
	(C) How have other components of the Regional Office supported the Coordinating Committee/Regional Ground-Water effort?				

* To coincide with mid-year reviews.

GROUND-WATER PROTECTION

EPA Ground-Water Focus and Coordination

<u>ACTIVITIES</u>	<u>QUALITATIVE MEASURES MID-YEAR REVIEWS</u>	<u>QUANTITATIVE MEASURES</u>	<u>IN SPMS/ COMMITMENT?</u>	<u>REPORTING FREQUENCY</u>	<u>SOURCE OF DATA</u>
2. Develop regional work plan or comparable management mechanism.	(A) To what degree do the plans of other programs include actions affecting ground water.	(a) The number of programs participating whose plans reflect statement in (A).	No/No	Jan. 31+ May 30*	Regional records.
	(B) How effective have the Regional work plans been in tracking progress toward completing projected outputs as related to ground water?	(b) The number of items in the work plan which reflect national priorities listed in the Operating Guidance.	No/No	Jan. 31+ May 30*	Regional records.
	(C) To what degree is the Regional Ground-Water Work Plan used to integrate and facilitate ground-water related programs and efforts throughout the Regions.	(c) The number of items in the work plan which reflect Regional priorities, especially cross-media issues.	No/No	Jan. 31+ May 30*	Regional records.
3. Ensure involvement of other Federal agencies.	(A) To what degree is the Region ground-water staff working with other Federal agencies?	(a) Number and names of other Federal agencies with which ground water staff is working.	No/No	Jan. 31+ May 30*	Regional records.

+Data for these quantitative measures must be reported only once—on the date which follows most closely completion of the work plan.

*To coincide with mid-year review.

WATER QUALITY STANDARDS, PLANNING, AND ASSESSMENT

Water Quality Standards

<u>ACTIVITIES</u>	<u>QUALITATIVE MEASURES FOR MID-YEAR REVIEWS</u>	<u>QUANTITATIVE MEASURES</u>	<u>IN SPMS/ COMMITMENT</u>	<u>REPORTING FREQUENCY</u>	<u>SOURCE OF DATA</u>
1. Work with States to identify problems and to ensure effective implementation of the WQS regulation.	(A) Describe any significant revisions, additions or modifications to State WQS or implementation policies.	(a) Provide a summary listing revisions and additions.	No/No	Mid-year review	106/205(j) work programs
	(B) Do the State's anti-degradation policies comply with 40 CFR 131.12? Are the required implementation plans for anti-degradation being submitted?	(b) Number of States with antidegradation policies in compliance with 40 CFR 131.12.	No/No	Mid-year review	106/205(j) work programs
		(c) Track, by Region, against quarterly targets, the number of States which have been assessed by the Regions as implementing antidegradation methods according to EPA policies.	Yes/SPMS WQ-28	First/ Second/ Third and Fourth Quarters	106/205(j) work programs
2. Undertake use attainability analysis and inclusion of toxic criteria into standards.	(A) Are the States developing use attainability assessments for segments designated less than fishable/swimmable? Are narrative or numerical criteria being adopted for toxics of concern? If numerical, are the States using EPA or site-specific criteria?	(a) Since previous reporting period: - # of WQS reviewed. - # of WQS approved/disapproved.	No/No	Mid-year review	106/205(j) work programs
		(b) Provide the: - # and type of criteria additions: traditional and toxic, since 86 mid-year review. - # of above based on site-specific calculations. - # of States applying "free-froms" or other narrative toxic criteria in writing NPDES permit limits.	No/No	Mid-year review	106/205(j) work programs

WATER QUALITY STANDARDS, PLANNING, AND ASSESSMENT

Water Quality Standards

<u>ACTIVITIES</u>	<u>QUALITATIVE MEASURES FOR MID-YEAR REVIEWS</u>	<u>QUANTITATIVE MEASURES</u>	<u>IN SPMS/ COMMITMENT</u>	<u>REPORTING FREQUENCY</u>	<u>SOURCE OF DATA</u>
		(c) Track, by Region, against quarterly targets, the number of States which incorporate new or revised numerical or narrative criteria for toxic pollutants into State water quality standards which are approved by the Regional Office.	Yes/SPMS WQ-29	Q 1 ,2, 3, 4	106/205(j) work pro- grams
		(d) Provide the following data based on mid-year '87 State reviews: - estimated total number of use attainability analysis (UAA) by State to be done. - # of streams or stream segments designated less than "fishable/swimmable". - # of UAA completed. - # of UAA approved for designations less than "fishable/swimmable". - # of UAA completed for upgradings or for confirmation of the CWA section 101 uses.	No/No	Mid-year review	106/205(j) work pro- grams
3. Undertake special WQS projects as determined by the Region.	(A) Describe the special project(s), the results of activities conducted, and the relative cost to undertake the project(s).				

WATER QUALITY STANDARDS, PLANNING, AND ASSESSMENT

Monitoring

<u>ACTIVITIES</u>	<u>QUALITATIVE MEASURES FOR MID-YEAR REVIEWS</u>	<u>QUANTITATIVE MEASURES</u>	<u>IN SPMS/ COMMITMENT</u>	<u>REPORTING FREQUENCY</u>	<u>SOURCE OF DATA</u>
1. Conduct water quality assessments to identify problems.	<p>(A) Describe the Regions' effort to work with the States to improve consistency between States for reporting waters "partially supporting" or "not supporting" designated uses to establish a consistent baseline for reporting.</p> <p>(B) Describe the States process for reviewing unassessed waters to determine if any of these waters are not meeting designated uses and goals of the Act.</p> <p>(C) What monitoring and/or screening programs did the States undertake to identify new or emerging problems?</p>	<p>(a) Identify the number of stream miles, lake acres, estuary square miles, coastal miles, and Great Lake shore miles in each Region, the number assessed, and the number that are supporting/partially supporting/not supporting designated uses as reported in the FY86 305(b) Report and 205(j) updates. Identify, by nonpoint source category, the number of stream miles, lake acres, estuary square miles, coastal miles and Great Lake shore miles not fully supporting designated uses due to nonpoint source pollution.</p>	Yes/No WQ-31	Third Quarter	305(b) report and any 205(j) updates

WATER QUALITY STANDARDS, PLANNING, AND ASSESSMENT

Monitoring

<u>ACTIVITIES</u>	<u>QUALITATIVE MEASURES FOR MID-YEAR REVIEWS</u>	<u>QUANTITATIVE MEASURES</u>	<u>IN SPMS/ COMMITMENT</u>	<u>REPORTING FREQUENCY</u>	<u>SOURCE OF DATA</u>
2. Identify waters needing water quality-based controls.	(A) To what extent do the States and the Region have a basic capability to conduct biomonitoring including bioassays and field surveys? Describe the States' and Regions' uses of these techniques.	(a) Identify, the number and list of waterbodies that are water quality limited for: (1) toxics and nontoxics; (2) toxics only; and (3) nontoxics only, and the number and list of these still needing water quality based controls; the number and list of waterbodies where available data show they are not water quality limited for toxics; and the number and list of waterbodies for which available data or analyses does not allow a decision.	Yes/No WQ-32 For SPMS report numbers only; List will be used for mid-year review.	Third Quarter	305(b) reports and any 205(j) updates
3. Develop needed water quality based controls.	(A) Describe the technical procedures used by the States in developing water quality-based controls for toxics and conventional pollutants. Do these follow the EPA technical guidance? For which States does the Region have an agreement on technical procedures for developing water quality-based controls?	(a) Track, by Region, against quarterly targets, the number and provide a list of waterbodies for which all known needed water quality based controls for toxics and nontoxics have been approved by EPA. Expectation is 20% or more of waters known to need controls as of beginning of FY 87, will be targeted for completion.	Yes/SPMS WQ-33 For SPMS report number only; List will be used for mid-year review.	First/ Second/ Third/ and Fourth Quarters	106/205(j) work programs, and 305(b) reports

WATER QUALITY STANDARDS, PLANNING, AND ASSESSMENT

Monitoring

<u>ACTIVITIES</u>	<u>QUALITATIVE MEASURES FOR MID-YEAR REVIEWS</u>	<u>QUANTITATIVE MEASURES</u>	<u>IN SPMS/ COMMITMENT</u>	<u>REPORTING FREQUENCY</u>	<u>SOURCE OF DATA</u>
4. Determine effectiveness of water pollution control programs.	<p>(A) To what extent are States developing enough data for the 1988 305(b) report to evaluate changes or trends in all of the waters identified as "partially supporting" or "not supporting" designated uses?</p> <p>(B) Discuss the extent that the States conduct "after" monitoring studies to assess effectiveness of pollution controls and attainment of designated uses? To what extent do the Region's EMR and the States 305(b) reports describe accomplishments resulting from control actions.</p>	(a) Number of States that have implemented environmental indicators and procedures (consistent with national guidance) to be used in measuring water quality trends in specific waters of concern.	No/No	Mid-year review	106/205(j) work programs
5. Overview of State Monitoring Programs.	<p>(A) Discuss the status of the States' monitoring strategies and any problems in implementing specific elements of the guidance. Describe the Region's process for reviewing State monitoring programs to ensure that they are collecting adequate data for making water quality-based control decisions (including audits or detailed reviews).</p> <p>(B) Discuss how the States are implementing EPA guidance for operating QA/QC programs.</p>	<p>(a) Number of State water quality monitoring programs evaluated and audit reports prepared.</p> <p>(b) Number of States completing and submitting monitoring checklists as committed to in annual WQM work programs.</p> <p>(c) Number of QA/QC work/project plans completed and the number of QA/QC program plans evaluated for currency?</p>	<p>No/No</p> <p>No/No</p> <p>No/No</p>	<p>Second/ Fourth Quarters</p> <p>Second/ Fourth Quarters</p> <p>Second/ Fourth Quarters</p>	<p>Regional reviews of State programs</p> <p>Regional reviews of State programs</p> <p>Regional reviews of State programs</p>

WATER QUALITY STANDARDS, PLANNING, AND ASSESSMENT

Monitoring

<u>ACTIVITIES</u>	<u>QUALITATIVE MEASURES FOR MID-YEAR REVIEWS</u>	<u>QUANTITATIVE MEASURES</u>	<u>IN SPMS/ COMMITMENT</u>	<u>REPORTING FREQUENCY</u>	<u>SOURCE OF DATA</u>
6. Collec- tion, storage and manage- ment of data.	(A) Describe State procedures for handling data (including data entry into STORET, data QA/QC, and data management procedures) in accordance with EPA's Water Quality Monitoring Policy.	(a) Number of States re- porting data as required by the Water Monitoring Policy, i.e., all data collected in conjunction with developing water quality based controls and appropriate assess- ment data to EPA in a timely manner (i.e., 60 days after the States have reviewed the data and found it acceptable).	No/No	Second/ Fourth Quarters	Regional reviews of State pro- grams
7. Provide monitoring technical assistance to States where needed.	(A) Discuss the extent to which the Region provides adequate WQ monitoring and analysis assistance to the States (including workshops and other direct training).				

WATER QUALITY STANDARDS, PLANNING, AND ASSESSMENT

Water Quality Management (WQM) Planning

<u>ACTIVITIES</u>	<u>QUALITATIVE MEASURES FOR MID-YEAR REVIEWS</u>	<u>QUANTITATIVE MEASURES</u>	<u>IN SPMS/ COMMITMENT</u>	<u>REPORTING FREQUENCY</u>	<u>SOURCE OF DATA</u>
1. Develop and use priority waterbody (PWB) lists to identify and abate each State's most critical water quality problems.	<p>(A) Characterize, by State, the PWB lists, i.e., what is their approach in developing the list; is there 1 unified list or a series of lists; are the lists programmatic or water quality oriented; are the lists ranked?</p> <p>(B) Are there other priority setting mechanisms? How can these be coordinated?</p> <p>(C) Do States/Regions know the specific program actions needed to resolve the identified PWB problem? If not, do they have a process to identify them?</p> <p>(D) How has the priority waterbody concept affected work program negotiation and allocation of grant funds?</p>	(a) Number of States with a negotiated priority waterbody list based on water quality; number of States which changed their lists during FY86.	No/No	Mid-year review	106/205(j) work programs, 305(b) reports
2. Review and incorporate planning, monitoring and standards products resulting from EPA grants into WQM plans.	(A) Does the Region review the quality and usefulness of specific planning, monitoring and standards products (e.g., WLA's, standards reviews, intensive surveys, use attainability analyses, etc.) produced as a result of EPA grant funding?	(a) Identify for each State the type and number of major products completed in FY 86. For each type of major product indicate the number submitted to the Region for review and the number incorporated into WQM plans.	No/No	Mid-year review	106/205(j) work program

WATER QUALITY STANDARDS, PLANNING, AND ASSESSMENT

Water Quality Management (WQM) Planning

<u>ACTIVITIES</u>	<u>QUALITATIVE MEASURES FOR MID-YEAR REVIEWS</u>	<u>QUANTITATIVE MEASURES</u>	<u>IN SPMS/ COMMITMENT</u>	<u>REPORTING FREQUENCY</u>	<u>SOURCE OF DATA</u>
	(B) Describe the Regional process for approving WQM updates? If a State prepares no plan updates, what action is the Regional Office taking?				
3. Negotiate and manage WQM grants to assure that work produced is of high priority, is of acceptable quality and is commensurate with the funding provided.	(A) What procedures are used to negotiate, track and evaluate work programs and State performance? What steps is the Region taking to assure that States meet level of effort requirements for 106 and 205(g)?	(a) What major products did not get completed (by State)?	No/No	Mid-year review	106/205(j) work programs
		(b) Number of actions taken by the Region to correct deficiencies or to reward superior performance.	No/No	Mid-year review	106/205(j) work programs
	(B) Describe the actions taken by the Region to correct deficiencies or to reward superior performance.	(c) List WQM applications Region used beyond those provided by customized software of WQMIS.	No/No	Mid-year review	106/205(j) work programs
	(C) How does the negotiation and management of work programs differ from last year, due to the performance based grant policy?				
	(D) What use is the Region making of WQMIS in managing the WQM program? Do you have or contemplate direct linkage with State agencies?				

WATER QUALITY STANDARDS, PLANNING, AND ASSESSMENT

Nonpoint Source Management

<u>ACTIVITIES</u>	<u>QUALITATIVE MEASURES FOR MID-YEAR REVIEWS</u>	<u>QUANTITATIVE MEASURES</u>	<u>IN SPMS/ COMMITMENT</u>	<u>REPORTING FREQUENCY</u>	<u>SOURCE OF DATA</u>
1. Conduct water quality assessments to identify problems.	(A) Describe the adequacy and extent of each State's efforts to identify its waters not fully supporting uses and threatened due to NPS pollution.	(a) Identify by State the actual waterbodies not meeting designated uses due to NPS.	No/No	Mid-year review	ASIWPCA report/ 305(b) report
		(b) Identify, by State, those groundwaters impacted by NPS.	No/No	Mid-year review	ASIWPCA report/ 305(b) report
2. Develop State NPS programs.	(A) Describe and evaluate each States' NPS management program.	(a) Track, by Region, against quarterly targets, the number of adequate NPS management programs consistent with WQM Regulation and EPA's Nonpoint Source Strategy developed by each State.	Yes/SPMS WQ-30	First/ Second/ Third and Fourth Quarters	106/205(j) work programs
	(B) Describe Regional procedures for reviewing and evaluating State NPS programs.	(b) Identify, by State, the number of NPS projects currently being implemented whose implementation plans have been approved by the Region.	No/No	Mid-year review	106/205(j) work programs
3. Develop and use Regional NPS strategies to effectively manage the NPS program.	(A) How do Regional NPS strategies adequately coordinate and integrate EPA and State programs? Describe procedures for coordination.				

WATER QUALITY STANDARDS, PLANNING, AND ASSESSMENT

Nonpoint Source Management

<u>ACTIVITIES</u>	<u>QUALITATIVE MEASURES FOR MID-YEAR REVIEWS</u>	<u>QUANTITATIVE MEASURES</u>	<u>IN SPMS/ COMMITMENT</u>	<u>REPORTING FREQUENCY</u>	<u>SOURCE OF DATA</u>
	(B) Discuss how NPS activities are focused on the high priority non-attainment areas identified previously.				
4. Utilize programs of other Federal agencies to implement NPS controls.	(A) Describe how programs of other Federal agencies are utilized in each State to support implementation of NPS controls.	(a) List, by State, NPS demonstration projects involving other Federal agencies and States. Give status of projects.	No/No	Mid-year review	106/205(j) work programs
		(b) Number of State water quality agencies participating in annual review of ACP priorities.	No/No	Mid-year review	106/205(j) work programs
5. Identify the need for technical support to assist in implementation of NPS programs.	(A) What technical support needs have Regions identified? What new tools, methodologies or procedures are needed?				

DRINKING WATER

Public Water System Supervision Program

<u>ACTIVITIES</u>	<u>QUALITATIVE MEASURES FOR MID-YEAR REVIEWS</u>	<u>QUANTITATIVE MEASURES</u>	<u>IN SPMS/ COMMITMENT?</u>	<u>REPORTING FREQUENCY</u>	<u>SOURCE OF DATA</u>
1. Effectively Manage the PWSS Program in Non-primacy States and on Indian Lands.	<p>(A) Has the Region used direct implementation funds for the intended projects.</p> <p>(B) What specific benefits can be attributed to the projects.</p> <p>(C) What is the magnitude of Indian land community water systems (CWS) which are significant noncompliers (SNC)?</p> <p>(D) Does the Region have a plan for improving noncompliance among the Indian land CWSs in its jurisdiction?</p>	<p>(a) Report, by a Regional total, the number, and percent, of Indian land CWSs which are SNCs of: (a) a microbiological, turbidity, or TTHM requirement, or (b) an organic other than TTHM, inorganic, or radiological requirement. (Report as 1 number for each of the 2 groups.)</p>	No/No	Second Quarter (Data are lagged 2 quarters)	FRDS
2. Prepare for Implementation of the Revised Drinking Water Regulations	(A) What has the Region done to aid States in developing legal authorities and analytical capabilities to begin regulating VOCs?				
3. Improve compliance with the NIDWR.	(A) Does each State have a current compliance strategy for dealing with noncompliant systems?	(a) Report which States have written and implemented a compliance policy.	No/No	Second Quarter	Regional Report

DRINKING WATER

Public Water System Supervision Program

<u>ACTIVITIES</u>	<u>QUALITATIVE MEASURES FOR MID-YEAR REVIEWS</u>	<u>QUANTITATIVE MEASURES</u>	<u>IN SPMS/ COMMITMENT?</u>	<u>REPORTING FREQUENCY</u>	<u>SOURCE OF DATA</u>
3. Improve compliance with the NIPDWR. (Cont'd)	(B) Has the Region provided guidance to States on compliance strategies and setting a target for community water systems (CWS) in significant noncompliance (SNC) ?				
	(C) Has each State negotiated a SNC target? Does the target reflect at least a 10% improvement over its previous year's actual results?				
	(D) What is the magnitude of CWSs which are SNCs?	(b) Report, by State, the number and percent of CWSs which are SNCs of a microbiological, turbidity, or TTHM requirement. (Report as 1 number per state.)	Yes/Yes DW/E-1	10/15/86 and All Quarters (Data are lagged 2 quarters)	FRDS
		(c) Report, by State, the number and percent of CWSs which are SNCs of an organic other than TTHM, inorganic, or radiological requirement. (Report as 1 number per state.)	Yes/No DW/E-2	Second Quarter (Data are lagged 2 quarters)	FRDS
	(E) Did the number of SNCs increase or decrease from the previous quarter's results? Does the State, or Region in the case of a nonprimacy State, appear able to meet its end-of-year target?	(d) Report, by State, the change in the number of SNCs from the previous quarter. (Applies to microbiology, turbidity, and TTHM SNCs. Report as 1 number per State.)	No/No	All Quarters (Data are lagged 2 quarters)	FRDS

DRINKING WATER

Public Water System Supervision Program

<u>ACTIVITIES</u>	<u>QUALITATIVE MEASURES FOR MID-YEAR REVIEWS</u>	<u>QUANTITATIVE MEASURES</u>	<u>IN SPMS/ COMMITMENT?</u>	<u>REPORTING FREQUENCY</u>	<u>SOURCE OF DATA</u>
3. Improve compliance with the NIPDWR. (Cont'd)	(F) How many people are affected by CWSs which are SNCs?	(e) Report, by State, the populations served by CWSs which are SNCs of a microbiological, turbidity, TTHM, organic chemical other than TTHM, organic chemical, or radiological requirement. Report populations in two groups: a) microbiological turbidity, and TTHM SNCs, and b) organics other than TTHMs, inorganics, or radiological SNCs.	Yes/No DW-1	Second Quarter (Data are lagged 2 quarters)	FRDS
	(G) Are the CWSs which are SNCs, returning to compliance, or being adequately addressed by the States?	(f) Report, by State, the number of CWSs, which were SNCs of a microbiological, turbidity, or TTHM requirement in the previous quarter, which have since returned to compliance.	Yes/No DW/E-3	All Quarters (Data are lagged 2 quarters)	Regional Report
		(g) Report, by State, the number of CWSs, which were SNCs of a microbiological, turbidity, or TTHM requirement in the previous quarter, against which the State has taken a formal enforcement action.	Yes/No DW/E-3	All Quarters (Data are lagged 2 quarters)	Regional Report

DRINKING WATER

Public Water System Supervision Program

<u>ACTIVITIES</u>	<u>QUALITATIVE MEASURES FOR MID-YEAR REVIEWS</u>	<u>QUANTITATIVE MEASURES</u>	<u>IN SPMS/ COMMITMENT?</u>	<u>REPORTING FREQUENCY</u>	<u>SOURCE OF DATA</u>
3. Improve compliance with the NIPDWR. (Cont'd)	(G) Are the CWSs, which are SNCs, returning to compliance or being adequately addressed by the State? (Cont'd)	(h) Report, by State, the number of CWSs, which were SNCs of a microbiological, turbidity, or TTHM requirement in the previous quarter, which are currently operating under, and adhering to a formal compliance schedule.	Yes/No DW/E-3	All Quarters (Data are lagged 2 quarters)	Regional Report
		(i) <u>Exception Report:</u> Identify, by name and PWS ID number, each CWS which was an SNC of a microbiological, turbidity, or TTHM requirement in the previous quarter, which has not returned to compliance, has not had a formal enforcement action taken against it, or is not operating under and adhering to a formal compliance schedule.	Yes/No DW/E-4	All Quarters (Data are lagged 2 quarters)	Regional Report
		(j) Report, by State, the number of CWSs, which were SNCs of an organic other than TTHM, inorganic, or radiological requirement as of 9/30/86, which have since returned to compliance.	Yes/No DW/E-5	Third/ Fourth Quarters (Data are lagged 2 quarters)	Regional Report

DRINKING WATER

Public Water System Supervision Program

<u>ACTIVITIES</u>	<u>QUALITATIVE MEASURES FOR MID-YEAR REVIEWS</u>	<u>QUANTITATIVE MEASURES</u>	<u>IN SPMS/ COMMITMENT?</u>	<u>REPORTING FREQUENCY</u>	<u>SOURCE OF DATA</u>
3. Improve compliance with the NIPDWR. (Cont'd)	(G) Are the CWSs, which are SNCs, returning to compliance or being adequately addressed by the State? (Cont'd)	(k) Report, by State, the number of CWSs, which were SNCs of an organic other than TTHM, inorganic, or radiological requirement as of 9/30/86, against which the State has taken a formal enforcement action.	Yes/No DW/E-5	Third/ Fourth Quarters (Data are lagged 2 quarters)	Regional Report
		(l) Report, by State, the number of CWSs, which were SNCs of an organic other than TTHM, inorganic, or radiological requirement as of 9/30/86, which are currently operating under, and adhering to a formal compliance schedule.	Yes/No DW/E-5	Third/ Fourth Quarters (Data are lagged 2 quarters)	Regional Report
		(m) <u>Exception Report:</u> Identify, by name and PWS ID number, each CWS which was an SNC of an organic other than TTHM, inorganic, radiological requirement as of 9/30/86, which has not returned to compliance, has not had a formal enforcement action taken against it, or is not operating under and adhering to a formal compliance schedule.	Yes/No DW/E-6	Third/ Fourth Quarters (Data are lagged 2 quarters)	Regional Report

DRINKING WATER

Public Water System Supervision Program

<u>ACTIVITIES</u>	<u>QUALITATIVE MEASURES FOR MID-YEAR REVIEWS</u>	<u>QUANTITATIVE MEASURES</u>	<u>IN SPMS/ COMMITMENT?</u>	<u>REPORTING FREQUENCY</u>	<u>SOURCE OF DATA</u>
3. Improve compliance with the NIPDWR. (Cont'd)	(H) Are the CWSs which have been placed on a formal compliance schedule adhering to that schedule?	(n) Report, by State, the number of CWSs which have violated a requirement prescribed by a formal compliance schedule, during the last 12 months.	No/No	Second Quarter (Data are lagged 2 quarters)	Regional Report
	(I) Has the Region and the States in its jurisdiction entered into an enforcement agreement for FY '87?	(o) Report which States have signed an enforcement agreement for FY '87.	No/No	Second Quarter	Regional Report
		(p) Report which States have documented their approach to "timely and appropriate" enforcement action.	No/No	Second Quarter	Regional Report
	(J) What is the magnitude of State litigation activity occurring in primacy states?	(q) Report, by State, the numbers of civil cases referred to the State AGs and criminal cases filed in court against any CWS in primacy States, during the quarter.	Yes/No DW/E-7	All Quarters (Data are lagged 2 quarters)	Regional Report
	(K) Has the Region reviewed primacy State enforcement actions and are they using Federal enforcement tools to bring noncomplying CWSs, in primacy States, into compliance?	(r) Report the number of §1414 administrative procedures completed, the number of §1431 AOs issued, and the number of judicial cases referred to EPA HQ or DOJ against CWSs in primacy States, during the last 12 months. (Report the 3 categories separately.)	No/No	Second Quarter (Data are lagged 2 quarters)	Regional Report

DRINKING WATER

Public Water System Supervision Program

<u>ACTIVITIES</u>	<u>QUALITATIVE MEASURES FOR MID-YEAR REVIEWS</u>	<u>QUANTITATIVE MEASURES</u>	<u>IN SPMS/ COMMITMENT?</u>	<u>REPORTING FREQUENCY</u>	<u>SOURCE OF DATA</u>
3. Improve compliance with the NIPDWR. (Cont'd)	(L) Are the Regions which operate direct implementation programs using enforcement tools to bring noncomplying systems into compliance?	(s) Report the number of §1431 AOs issued and the number of judicial cases referred to EPA HQ or DOJ against CWSs in nonprimacy States or on Indian lands during the last 12 months.	No/No	Second Quarter (Data are lagged 2 quarters)	Regional Report
	(M) Are the States, and Regions, conducting surveys of community water systems to prevent noncompliance?	(t) Report by State (and by a Regional total for Indian lands) the number of CWSs which have received a routine sanitary survey.	Yes/Yes DW/E-8	All Quarters (Data are lagged 2 quarters)	Regional Report
	(N) Has the Region undertaken data verification activity for each State? What have results of completed studies shown about data integrity? Have the States made adjustments to their data systems to address any problems discovered during a current or previous verification?	(u) Report on which States the Region has initiated or completed a data verification during the last 12 months.	No/No	Second Quarter	Regional Report
	(O) Are the States currently providing compliance data on a quarterly basis? Is the data, as received, of high quality and is it submitted with enough lead time to allow the Region to conduct a data review?				

DRINKING WATER

Public Water System Supervision Program

<u>ACTIVITIES</u>	<u>QUALITATIVE MEASURES FOR MID-YEAR REVIEWS</u>	<u>QUANTITATIVE MEASURES</u>	<u>IN SPMS/ COMMITMENT?</u>	<u>REPORTING FREQUENCY</u>	<u>SOURCE OF DATA</u>
3. Improve compliance with the NIPDWRs. (Cont'd)	(P) Is the Region thoroughly reviewing the States' quarterly data submissions and correcting obvious anomalies before the reports are due at HQ?				
	(Q) Has the Region discussed with the States EPAs desire to accelerate the FRDS data submissions beginning in FY '88?	(v) How quickly after the end of a quarter can each State provide quarterly compliance data to EPA?	No/No	Second Quarter	Regional Report
	(R) Have the States categorized their noncommunity water systems (NCWS) into priority groups to target use of their resources?	(w) Report which States have applied some type of categorization to their noncommunity systems.	No/No	Second Quarter	Regional Report
	(S) Do States have an active NCWS program, including inventory verification and compliance improvement?				
	(T) Have the Regions discussed with the States our desire to be able to identify and track Federal facilities, and are the States coding these systems correctly in the FRDS?				

DRINKING WATER

Public Water System Supervision Program

<u>ACTIVITIES</u>	<u>QUALITATIVE MEASURES FOR MID-YEAR REVIEWS</u>	<u>QUANTITATIVE MEASURES</u>	<u>IN SPMS/ COMMITMENT?</u>	<u>REPORTING FREQUENCY</u>	<u>SOURCE OF DATA</u>
3. Improve compliance with the NIPDWR. (Cont'd)	(U) What is the magnitude of Federal facility CWSS which are SNCs? (V) Are all States currently entering actual analytical results of the required chemical and radiological monitoring into the FRDS? (W) In brief, what steps have been taken to coordinate the efforts of the Drinking Water Branch and the Superfund and RCRA program offices.	(x) Report, by State, the number and percent of Federal facility CWSS which are SNCs of: (a) a microbiological, turbidity, or THM requirement, or (b) an organic other than THM, inorganic, or radiological requirement. (Report as 1 number for each of the 2 groups.)	No/No	Second Quarter (Data are lagged 2 quarters)	FRDS

DRINKING WATER

UNDERGROUND INJECTION CONTROL PROGRAM

<u>ACTIVITIES</u>	<u>QUALITATIVE MEASURES FOR MID-YEAR REVIEWS</u>	<u>QUANTITATIVE MEASURES</u>	<u>IN SPMS/ COMMITMENT?</u>	<u>REPORTING FREQUENCY</u>	<u>SOURCE OF DATA</u>
1. Oversee Primacy State Programs	(A) Are States carrying out their programs as approved?	(a) Report, by State, # of injection wells in each well class, by operating status to update the injection well inventory record.	No/No	Annually	Region/ State Report
	(B) What types of problems are delegated States encountering?				
	(C) What types of assistance are States requesting?	(b) Track, by well class, progress against targets for UIC permit determinations made by primacy States for new and existing (1) Class I wells, and (2) Class II, III, V wells (if applicable), and the # of wells affected by these determinations.	Yes/SPMS DW-2 DW-3	Quarterly (data lagged 1 quarter)	Region/ State Report
	(D) How does Region exercise effective overview of delegated programs?				
	(E) Are States running MIT and File review effectively? (Evaluation by HQ/RG team)				
		(c) Track, against targets, the # of existing Class II well record file reviews completed and # of deficient wells found with appropriate follow-up initiated.	Yes/SPMS DW-4	Quarterly (data lagged 1 quarter)	Region/ State Report
		(d) Track, against targets, the # of existing Class II wells for which mechanical integrity tests were performed by operators and verified by States and # of wells which lack mechanical integrity.	Yes/SPMS DW-5	Quarterly (data lagged 1 quarter)	Region/ State Report

DRINKING WATER

UNDERGROUND INJECTION CONTROL PROGRAM

<u>ACTIVITIES</u>	<u>QUALITATIVE MEASURES FOR MID-YEAR REVIEWS</u>	<u>QUANTITATIVE MEASURES</u>	<u>IN SPMS/ COMMITMENT?</u>	<u>REPORTING FREQUENCY</u>	<u>SOURCE OF DATA</u>
1. Oversee Primacy State Programs (cont')		(e) Report, by State, by well class the % of Class II wells for which mechanical integrity tests were witnessed.	No/No	Quarterly (data lagged 1 quarter)	Region/ State Report
		(f) Report, by State, for FY 1987 the # of field inspections conducted.	Yes/SPMS DW/E-12	Quarterly (data lagged 1 quarter)	Region/ State Report
	(F) By State, what is the status of the assessment of Class V wells.	(g) Track, by State, by well class for primacy States the number and percent of major wells and Class II, III, V wells in significant non-compliance (SNC) with permit or rule requirements.	Yes/No DW/E-9	Quarterly (data lagged 1 quarter)	Qtrly. Noncom- pliance Report
	(G) Are States enforcing significant violations effectively?				
	(H) Are States following-up on enforcement actions to ensure compliance?	(h) Identify, by State, by well class the number of wells (1) added to the Quarterly Non-compliance Report during the reporting quarter, (2) the number of wells that (a) were returned to compliance, (b) had a formal enforcement action taken, or (c) were placed on a compliance schedule and (3) number reported in significant non-compliance for two or more reporting quarters.	No/No	Quarterly	Qtrly. Non- Compliance Report

DRINKING WATER

UNDERGROUND INJECTION CONTROL PROGRAM

<u>ACTIVITIES</u>	<u>QUALITATIVE MEASURES FOR MID-YEAR REVIEWS</u>	<u>QUANTITATIVE MEASURES</u>	<u>IN SPMS/ COMMITMENT?</u>	<u>REPORTING FREQUENCY</u>	<u>SOURCE OF DATA</u>
1. Oversee Primacy State Programs (cont')		(i) Identify by State, by name and UIC I.D. number, major wells and Class II, III and V wells reported in significant non-compliance and appearing on two or more consecutive Quarterly Non-compliance Reports without being returned to compliance or addressed with a formal enforcement action.	Yes/No DW/E-10	Quarterly (data lagged 1 quarter)	Qtrly. Noncom- pliance Report
		(j) Identify, by State, by name and UIC ID number by well class the total number of major wells and Class II, III, V wells listed in the exceptions list universe for the previous quarter which have (1) returned to compliance or (2) have not yet returned to compliance but have been addressed with a formal enforcement actions.	Yes/No DW/E-11	Quarterly (data lagged 1 quarter)	Qtrly. Noncom- pliance Report
		(k) Report, by State, the number of administrative orders or equivalent enforcement actions taken.	Yes/No DW/E-13	Quarterly	Regional Report
		(l) Report, by State the # of referrals or equivalent State actions generated. - civil actions sent to SAG - criminal action sent to SAG	Yes/No DW/E-14	Quarterly	Regional Report

DRINKING WATER

UNDERGROUND INJECTION CONTROL PROGRAM

<u>ACTIVITIES</u>	<u>QUALITATIVE MEASURES FOR MID-YEAR REVIEWS</u>	<u>QUANTITATIVE MEASURES</u>	<u>IN SPMS/ COMMITMENT?</u>	<u>REPORTING FREQUENCY</u>	<u>SOURCE OF DATA</u>
2. Implement UIC in Non-Primacy States and develop programs on Indian Lands	(A) Does the Region have the appropriate skill mix for direct implementation?	(a) Report the # of injection wells for each well class by operating status to update the injection well inventory record.	No/No	Annually	Regional Report
	(B) Is program (inventory, reports, compliance) up to date? If not, explain.	(b) Track, by Class, against targets, the # of permit determinations made to new and existing (1) Class I wells and (2) Class II, III V wells (if applicable) and the # of wells affected by these determinations.	Yes/SPMS DW-2 DW-3	Quarterly	Region Report
	(C) Does the Region have a plan to eliminate permit backlogs (if any) or to improve processing time (if applicable) to prevent delays?	(c) Track, against targets, the # of existing Class II well record file reviews completed and # of deficient wells found with appropriate follow-up initiated.	Yes/SPMS DW-4	Quarterly	Regional Report
	(D) Is Region carrying out programs as submitted?	(d) Track, against targets, the # existing Class II wells for which mechanical integrity tests were performed by operators and verified by EPA and # of wells found to lack mechanical integrity.	Yes/SPMS DW-5		Regional Report
		(e) Report, by State, by well class the # of mechanical integrity tests witnessed by EPA.	No/No	Quarterly	Regional Report

DRINKING WATER

UNDERGROUND INJECTION CONTROL PROGRAM

<u>ACTIVITIES</u>	<u>QUALITATIVE MEASURES FOR MID-YEAR REVIEWS</u>	<u>QUANTITATIVE MEASURES</u>	<u>IN SPMS/ COMMITMENT?</u>	<u>REPORTING FREQUENCY</u>	<u>SOURCE OF DATA</u>
2. Imple- ment UIC in Non-Primacy States and on Indian lands (cont')	(E) By State, what is the status of the assessment of Class V wells. (F) What is Region's approach for use of formal and informal enforcement actions? (G) Have there been any enforcement problems. How were they handled?	(f) Track, by Region, against targets, the # of field inspections conducted. (g)Track, by Region, in direct implementation States, the number and percent of major wells and Class II, III, & V wells in significant noncompliance with permit or rule requirements. (h) Identify, by State, by well class the number of wells (1) added to the Quarterly Non-compliance Report during the reporting quarter, (2) the number of wells that were (a) returned to compliance, (b) had formal enforcement action taken or (c) were placed on a compliance schedule and (3) number reported in significant non-compliance for two or more reporting quarters.	Yes/SPMS/DW/E-12 Yes/No DW/E-9 No/No	Quarterly Quarterly (data lagged 1 quarter) Quarterly (data lagged 1 quarter)	Regional Report Qrtrly. Noncompliance Report Qrtrly. Noncompliance Report
		(i) Identify by State, by name and UIC ID #, major wells and Class II, III and V wells reported in significant non-compliance and appearing on two or more consecutive Quarterly Non-compliance Reports without being returned to compliance or addressed with a formal enforcement action.	Yes/No DW/E-10	Quarterly (data lagged 1 quarter)	Qrtrly. Noncompliance Report

DRINKING WATER

UNDERGROUND INJECTION CONTROL PROGRAM

<u>ACTIVITIES</u>	<u>QUALITATIVE MEASURES FOR MID-YEAR REVIEWS</u>	<u>QUANTITATIVE MEASURES</u>	<u>IN SPMS/ COMMITMENT?</u>	<u>REPORTING FREQUENCY</u>	<u>SOURCE OF DATA</u>
2. Implement UIC in Non-Primacy States and on Indian lands (cont')	(I) Has the dynamic base of significant noncompliance effectively decreased?	(j) Identify, by State, by name and UIC ID #, by well class the # of major wells and Class II, III and V wells listed in the exceptions report for the previous quarter which (1) returned to compliance or (2) have not yet returned to compliance but have been addressed with a formal enforcement action.	Yes/No DW/E-11	Quarterly (data lagged 1 quarter)	Qtrly. Noncompliance Report
		(k) Report, by State, the # of administrative orders or equivalent enforcement actions taken.	Yes/No DW/E-13	Quarterly	Regional Report
		(l) Report by State, the # of - civil actions referred to DOJ - criminal actions referred to DOJ	Yes/No DW/E-14	Quarterly (OECM will report)	Regional Report

WATER ENFORCEMENT AND PERMITS

Permits

<u>ACTIVITIES</u>	<u>QUALITATIVE MEASURES FOR MID-YEAR</u>	<u>QUANTITATIVE MEASURES</u>	<u>IN SPMS/ COMMITMENT?</u>	<u>REPORTING FREQUENCY</u>	<u>SOURCE OF DATA</u>
1. Issue/Reissue Industrial and Municipal Permits	(A) How were Regional/State permit issuance strategies de- veloped and how does the Region track State permit issuance status (major and minor)?	(a) Identify the # of major industrial permits that have or will expire by the end of FY 87 (NPDES States, non-NPDES States).	Yes/No WQ-1/WQ-3	10/15/86	PCS
	(B) Do any States have a continuing backlog of expired major permits? Has the Region assessed the reasons? What are the Regions plans to address the problems?	(b) Track progress against targets for the # of permits reissued to major industrial facilities during fiscal year (NPDES States, non- NPDES States).	Yes/SPMS WQ-2/WQ-4	Quarterly	PCS
		(c) Identify the # of major municipal permits that have or will expire by the end of FY 87 (NPDES States, non- NPDES States).	Yes/No WQ-5/WQ-7	10/15/86	PCS
		(d) Track progress against targets for the # of permits reissued to major municipal facilities during fiscal year (NPDES States, non- NPDES States).	Yes/SPMS WQ-6/WQ-8	Quarterly	PCS

WATER ENFORCEMENT AND PERMITS

Permits

<u>ACTIVITIES</u>	<u>QUALITATIVE MEASURES FOR MID-YEAR</u>	<u>QUANTITATIVE MEASURES</u>	<u>IN SPMS/ COMMITMENT?</u>	<u>REPORTING FREQUENCY</u>	<u>SOURCE OF DATA</u>
1. Issue/ Reissue Industrial and Municipal Permits (con't.)	(C) Are industrial/municipal major permit issuance rates in the Region/States expected to be sufficient to assure permits are reissued as they expire? Now? In the future?	(e) Identify, by Region the number of planned revisions of major industrial permits (NPDES States, non-NPDES States).	Yes/No WQ-9	10/15/86	Region/ States
	(D) Do the Region/States review the industrial discharger ratings that determine major/minor status? Is this done on a routine basis? To what extent have the original ratings been reexamined? How current are the ratings now being used?	(f) Track, by Region, progress against targets for the number of planned revisions of major industrial permits (NPDES States, non-NPDES States).	Yes/SPMS WQ-10	Quarterly	Region/ States
		(g) Track, by Region, the number of other major industrial permits modified (NPDES States, non-NPDES States).	No/No	Quarterly	Region/ States
	(E) Are there any new or emerging delays or roadblocks in the Region's/States' industrial/municipal permitting processes? What are they and what practical steps are needed to expedite permitting?	(h) Identify, by Region the number of planned revisions of major municipal permits (NPDES States, non-NPDES States).	Yes/No WQ-11	10/15/86	Region/ States
		(i) Track, by Region, progress against targets for the number of planned revisions of major municipal permits (NPDES States, non-NPDES States).	Yes/SPMS WQ-12	Quarterly	Region/ States

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<u>ACTIVITIES</u>	<u>QUALITATIVE MEASURES FOR MID-YEAR</u>	<u>QUANTITATIVE MEASURES</u>	<u>IN SPMS/ COMMITMENT?</u>	<u>REPORTING FREQUENCY</u>	<u>SOURCE OF DATA</u>
1. Issue/ Reissue Industrial and Municipal Permits (con't.)	(F) Are short-term permits still being issued? Do many permits have reopening clauses for incorporating promulgated effluent guidelines or for addressing new limits resulting from toxicity testing?	(j) Track, by Region, the number of other major municipal permits modified (NPDES States, non-NPDES States).	No/No	Quarterly	Region/ States
	(G) What is the nature of the modifications being made to industrial/municipal major permits? Discuss this workload or the Region/States in relation to permit issuance and other permitting activities. What are the resource implications? How does the Region track permit modifications?	(k) Track progress against targets for the # of permits reissued to significant minor industrial facilities during fiscal year (NPDES States, non-NPDES States).	Yes/SPMS WQ-13	Quarterly	Region/ States
	(H) Discuss in particular the process and timing for modification of municipal permits to incorporate approved pretreatment program requirements. Have all approved local programs been incorporated in permits, including local limits?	(l) Track progress against targets for the # of permits reissued to significant minor municipal facilities during fiscal year (NPDES States, non-NPDES States).	Yes/SPMS WQ-13	Quarterly	Region/ States
		(m) Update if necessary, the strategy for each State for the issuance of permits to minor dischargers (NPDES States, non-NPDES States).	No/OW	7/1/87	Region/ States
		(n) Prepare a list of all approved POTW pretreatment programs for which the permit has <u>not</u> been modified to require implementation (NPDES States, non-NPDES States).	No/No	Provide list start of FY	Region/ States

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<u>ACTIVITIES</u>	<u>QUALITATIVE MEASURES FOR MID-YEAR</u>	<u>QUANTITATIVE MEASURES</u>	<u>IN SPMS/ COMMITMENT?</u>	<u>REPORTING FREQUENCY</u>	<u>SOURCE OF DATA</u>
1. Issue/ Reissue Industrial and Municipal Permits (cont'd)	If not, what are the impediments? When will it be done? Are sub sequent local program changes being incorporated? How frequent- ly does this happen? Is there a backlog? What priority is given to assuring municipal permits are modified to reflect cur- rent local pretreatment programs?	(o) Track progress against targets for the number of municipal permit modifica- tions to incorporate the pretreatment implementa- tion requirement (NPDES, non-NPDES States).	No/OW	Second/ Fourth Quarters	Region/ States
2. Develop Appropriate and Enforce- able Permit Conditions	(A) Discuss Region's/States' implementation of the "Policy for the Development of Water Quality-based Permit Limita- tions for Toxic Pollutants." Have EPA and the States been working together to implement the policy? What are the principal impediments to implementation of the policy (training, expertise resources, etc.)? What steps have been taken so far? Have procedures been developed? (B) What are the Region/States doing to identify permittees with potential water quality impacts that require toxicity testing or limits? (See Water Quality Stan- dards measures on wasteload allocations.)	(a) Identify municipal and industrial permits reissued or modified that include water quality- based toxics limits or whole effluent toxicity testing (NPDES States, non-NPDES States).	No/No	Second/ Fourth Quarters	Region/ States

Permits

<u>ACTIVITIES</u>	<u>QUALITATIVE MEASURES FOR MID-YEAR</u>	<u>QUANTITATIVE MEASURES</u>	<u>IN SPMS/ COMMITMENT?</u>	<u>REPORTING FREQUENCY</u>	<u>SOURCE OF DATA</u>
2. Develop Appropriate and Enforce- able Permit Conditions (cont'd)	<p>(C) Are permittees encountering problems identifying sources of toxicity or toxicity reduction control methods? How are permits incorporating testing requirements/limits using whole effluent toxicity and/or pollutant-specific approaches? Discuss Region's/States' experiences, problems. Are §308 letters (or similar State mechanisms) being used in lieu of permit conditions?</p> <p>(D) Discuss any problems encountered by Region/States with respect to permit monitoring requirements and general conditions, especially in relation to toxic pollutants.</p> <p>(E) Are States/Region encountering any difficulties in applying the guidelines? If so, how are they being resolved? Are the resolutions satisfactory and timely?</p>				

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<u>ACTIVITIES</u>	<u>QUALITATIVE MEASURES FOR MID-YEAR</u>	<u>QUANTITATIVE MEASURES</u>	<u>IN SPMS/ COMMITMENT?</u>	<u>REPORTING FREQUENCY</u>	<u>SOURCE OF DATA</u>
2. Develop Appropriate and Enforce- able Permit Conditions (cont.)	<p>(F) To what extent are States/ Region developing permit conditions using best profes- sional judgement? Is the technical support for these judgements adequate? Are rationales for BPJ deter- minations documented in the Fact Sheets or Statements of Basis? If not, what addi- tional support is needed? Are the resolutions satis- factory and timely?</p> <p>(G) Do many of the Region's/ States' industrial permits contain BMP requirements? How are these requirements written into permits? Are site-specific BMPs as well as BMP plans being used? Is the guidance developed by Headquarters adequate or are additional information or work- shops needed on BMPs?</p> <p>(H) Are Region's/States' municipal permit conditions consistent with the new secon- dary treatment definition? Are there any difficulties in applying the new definition? If so, how are they being resolved? Are the resolutions satisfactory and timely? Discuss the nature and extent of the use of "special consideration" provisions of the secondary treatment definition.</p>				

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<u>ACTIVITIES</u>	<u>QUALITATIVE MEASURES FOR MID-YEAR</u>	<u>QUANTITATIVE MEASURES</u>	<u>IN SPMS/ COMMITMENT?</u>	<u>REPORTING FREQUENCY</u>	<u>SOURCE OF DATA</u>
2. Develop Appropriate and Enforce- able Permit Conditions (cont.)	(I) To what extent do Region's/ States' municipal permits contain monitoring and reporting requirements for toxics in their effluent and/or sludge. (J) Discuss Region's/States' progress in completing muni- cipal permit modifications for §301(h) and pretreatment, and any problems associated with permit monitoring requirements and general conditions.				

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<u>ACTIVITIES</u>	<u>QUALITATIVE MEASURES FOR MID-YEAR</u>	<u>QUANTITATIVE MEASURES</u>	<u>IN SPMS/ COMMITMENT?</u>	<u>REPORTING FREQUENCY</u>	<u>SOURCE OF DATA</u>
3. Issue New Source/Major New Discharger Permits	(A) Is Region's/States' approach to new permits consistent with priority to protect water quality? Are there special problems in the new source area? Is there adequate coordination with other media programs where more than one EPA permit is required? Is construction ban being enforced? Have problems arisen in this area? Are NEPA reviews conducted smoothly and in a timely manner where required? What is the current backlog of new source and major new discharge permit applications? How many have been pending for more than 12 months?	(a) Track # of new source/major new discharge permits issued.	No/No	Quarterly	Region

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<u>ACTIVITIES</u>	<u>QUALITATIVE MEASURES FOR MID-YEAR</u>	<u>QUANTITATIVE MEASURES</u>	<u>IN SPMS/ COMMITMENT?</u>	<u>REPORTING FREQUENCY</u>	<u>SOURCE OF DATA</u>
4. Issue/Reissue General Permits	(A) What types of problems have the Region/States encountered in issuing general permits? What measures have been taken or are needed to resolve them?	(a) Track progress against targets for the # of general permits issued/reissued (non-NPDES States): -#OCS -# other than OCS	No/OW	Second/ Fourth Quarters	Region
	(B) Is Region actively considering ways to use general permits to reduce minor permit backlog? What types of general permits are being considered? To what extent will they reduce the minor permit backlog? When are they likely to be issued?	(b) Track # of general permits issued/reissued (NPDES States): -#OCS -# other than OCS	No/No	Second/ Fourth Quarters	States
	(C) To what extent can general permits be used to regulate un-permitted dischargers? Are any such general permits being prepared? When are they likely to be issued? How many un-permitted dischargers would be regulated?				

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<u>ACTIVITIES</u>	<u>QUALITATIVE MEASURES FOR MID-YEAR</u>	<u>QUANTITATIVE MEASURES</u>	<u>IN SPMS/ COMMITMENT?</u>	<u>REPORTING FREQUENCY</u>	<u>SOURCE OF DATA</u>
5. Resolve Evidentiary Hearings	(A) What are the Region's/ States' plans for elimina- ting the present permit appeals backlog? Discuss Water Division/Regional Counsel coordination on resolving backlogged hear- ings and on addressing new hearing requests. Are any hearing requests related to the redefinition of secondary treatment or §301(h) per- mits? Are any hearing re- quests related to bio- monitoring or toxicity- based permit conditions? Are any State non-adjudica- tory permit appeals included and tracked?	(a) Identify # of evidentiary hearing (or other State appeal proceeding) requests pending at beginning of FY 87 (NPDES States, non-NPDES States): - Municipal; and - Non-Municipal.	Yes/No WQ-14	10/15/86	PCS
		(b) Track against targets the # of evidentiary hearing requests pending at beginning of FY that were resolved in FY 87 (NPDES States, non-NPDES States): - Municipal; and - Non-Municipal.	Yes/SPMS WQ-15	Quarterly	PCS
	(B) What are the Region's/ States' major issues? Has a pattern developed that in- dicates a need for program changes, including procedures, regulations, policy, guidance, technical assistance, etc?	(c) Identify # of evidentiary hearings requested during FY 87 (NPDES States, non-NPDES States): - Municipal; and - Non-Municipal	No/No	Quarterly	PCS

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<u>ACTIVITIES</u>	<u>QUALITATIVE MEASURES FOR MID-YEAR</u>	<u>QUANTITATIVE MEASURES</u>	<u>IN SPMS/ COMMITMENT?</u>	<u>REPORTING FREQUENCY</u>	<u>SOURCE OF DATA</u>
5. Resolve Evidentiary Hearings (cont'd).		(d) Track # of evidentiary hearing requests received in FY 87 which are denied or granted within 90 days (NPDES States, non-NPDES States): - Municipal; and - Non-Municipal.	No/No	Quarterly	PCS
		(e) Of all evidentiary hear- ing requests resolved in FY 87, identify #: - denied - settled without hearing - decided after hearing - withdrawn	No/No	Quarterly	PCS

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<u>ACTIVITIES</u>	<u>QUALITATIVE MEASURES FOR MID-YEAR</u>	<u>QUANTITATIVE MEASURES</u>	<u>IN SPMS/ COMMITMENT?</u>	<u>REPORTING FREQUENCY</u>	<u>SOURCE OF DATA</u>
6. Review and Approve/Deny Variance Requests	<p>(A) How is the Region's/ States' variance process working? What are the difficulties? What additional support is needed, such as procedural changes, guidance or support from Headquarters? Discuss problems and successes.</p> <p>(B) Have any States requested Alternative State Requirements (ASRs) under the redefinition of secondary treatment? Discuss the review and approval process and identify any problems or support needs. In States where EPA is the NPDES authority, have any cities asked for ASR limits (i.e. higher effluent numbers than 45 mg/l BOD and suspended solids)? Discuss the Region's response to the municipal inquiry. Was the State informed of the ASR inquiry?</p>	<p>(a) Identify # of direct discharger variance requests pending at beginning of FY 87 (NPDES States, non-NPDES States):</p> <ul style="list-style-type: none"> - FDF - 301(c) - 301(g) - 301(k) - 316(a) - 316(b) <p>(b) Track against targets the # of direct discharger variance requests pending start FY 87 which are denied and forwarded to Headquarters with a recommendation in FY 87 (NPDES States, non-NPDES States):</p> <ul style="list-style-type: none"> - FDF - 301(c) - 301(g) - 301(k) - 316(a) - 316(b) 	<p>No/No</p> <p>No/OW</p>	<p>10/31/86</p> <p>Quarterly</p>	<p>Region/ States</p> <p>Region/ States</p>

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<u>ACTIVITIES</u>	<u>QUALITATIVE MEASURES FOR MID-YEAR</u>	<u>QUANTITATIVE MEASURES</u>	<u>IN SPMS/ COMMITMENT?</u>	<u>REPORTING FREQUENCY</u>	<u>SOURCE OF DATA</u>
6. Review and Approve/Deny Variance Requests (cont'd)		(c) Identify # of direct discharger variances re- quested during FY 87 (NPDES States, non-NPDES States): - FDF - 301(c) - 301(g) - 301(k) - 316(a) - 316(b)	No/No	Quarterly	Region/ States
		(d) Track # of direct discharger variances re- quested during FY 87 which are denied and forwarded to Headquarters with a recom- mendation in FY 87 (NPDES States, non-NPDES States): - FDF - 301(c) - 301(g) - 301(k) - 316(a) - 316(b)	No/No	Quarterly	Region/ States

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<u>ACTIVITIES</u>	<u>QUALITATIVE MEASURES FOR MID-YEAR REVIEWS</u>	<u>QUANTITATIVE MEASURES</u>	<u>IN SPMS/ COMMITMENT</u>	<u>REPORTING FREQUENCY</u>	<u>SOURCE OF DATA</u>
1. Identify Compliance Problems	(A) Do the Region's/ States' compliance rates show improvement in FY 1987? *	(a) <u>MOVING BASE UNIVERSE</u> : # of major permittees and P.L. 92-500 minor permittees that are: - on final effluent limits (list separately: municipal, non-municipal, federal, P.L.92-500; NPDES States, non-NPDES States); and - not on final effluent limits (list separately: municipal, non-municipal, federal; NPDES States, non-NPDES States). (See Appendix B)	Yes/No WQ/E-1 through WQ/E-6	<u>Majors</u> : Quarterly <u>Minor P.L.92-500s</u> : Semi-annually (April 1, 1987 based on Dec. 31, 1986 data. Oct. 1, 1987 based on June 30, 1987 data.)	PCS (Data lagged one qtr)
	(B) Is the QNCR regulation/ guidance being properly applied in the Region/States? Is the Region reviewing State QNCR's to insure proper reporting? If reviews identify inadequate QNCRs what action is the Region taking? (C) Are there new reasons for municipal/nonmunicipal noncompliance in the Region/ States? What is the Region's/States' strategy for dealing with such noncompliance.	(b) <u>MOVING BASE SNC</u> : # and % of major permittees and P.L. 92-500 minor permittees in significant non-compliance (SNC) with: - final effluent limits (list separately: municipal, non-municipal, federal, P.L. 92-500; NPDES States, non-NPDES States); - construction schedules; - interim effluent limits (list separately: municipal, non-municipal, federal; NPDES States, non-NPDES States). (See Appendix B)	Yes/No WQ/E-1 through WQ/E-6	<u>Majors</u> : Quarterly <u>Minor P.L. 92-500s</u> : Semi-annually (April 1, 1987 based on Dec. 31, 1986 data. Oct. 1, 1987 based on June 30, 1987 data.)	QNCR (Data lagged one qtr)

* This measure must take into consideration the impact of the 8-26-85 QNCR regulation.

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<u>ACTIVITIES</u>	<u>QUALITATIVE MEASURES FOR MID-YEAR REVIEWS</u>	<u>QUANTITATIVE MEASURES</u>	<u>IN SPMS/ COMMITMENT</u>	<u>REPORTING FREQUENCY</u>	<u>SOURCE OF DATA</u>
2. Expand Enforcement Efforts Under the National Municipal Policy	(A) Have the Region/State completed filed enforcement cases against major POTWs? If not, what is delaying action?	(a) <u>MUNICIPAL COMPLIANCE PLANS</u> (1) Identify the # of noncomplying POTWs that require construction (2) Of the POTWs that currently require further construction: - # of those for which compliance schedules (MCPs) have been established through an enforceable document (tracked against target); and	Yes/No WQ-17	10/15/86	PCS/ Region/ States
	(B) To what extent are the Region/States still establishing permit/compliance schedules for all remaining POTWs?		Yes/SPMS Major, Minor WQ-18	Quarterly	PCS/ Region/ States
	(C) To what extent are the Region/States initiating civil referrals for unfunded POTWs that cannot meet the 1988 deadline? Are these POTWs required to take intermediate steps in the meantime? How are reasonable deadlines being determined?	-# of these completing the final step of their MCP and returned to compliance (list separately: major, minor; NPDES States, non-NPDES States).	No/No	Quarterly	PCS/ Region/ States
	(D) How are the Region/States tracking and documenting non-compliance with all interim milestones (non-SNC) in permits/enforceable schedules? How are the Region/States responding to noncompliance with interim milestones in permits/enforceable schedules? How are schedules adjusted following slippage? Where no action is taken, what is the rationale?	(b) <u>VIOLATIONS OF MCP's</u> (1) Identify by Region the number of POTW's on MCP's that are in noncompliance with their schedule (list separately major, minor) (2) Track, by Region, the number of formal enforcement actions taken in response to MCP schedule violations	Yes/No WQ-19 For SPMS identify majors only Yes/No WQ-20	Quarterly Quarterly	PCS PCS/ GREAT/ DOCKET

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<u>ACTIVITIES</u>	<u>QUALITATIVE MEASURES FOR MID-YEAR REVIEWS</u>	<u>QUANTITATIVE MEASURES</u>	<u>IN SPMS/ COMMITMENT</u>	<u>REPORTING FREQUENCY</u>	<u>SOURCE OF DATA</u>
2. Expand Enforcement Efforts Under the National Municipal Policy	<p>(E) If there is major slippage beyond 7/1/88 in an AO construction schedule is the Region/ State seeking judicially-imposed schedules? If not, why not?</p> <p>(F) Where NMP POTWs are receiving Federal grants, do the Region/ States ensure that construction and compliance schedules are reasonable, expeditious and consistent? Do they monitor schedules jointly and report major slippage to the enforcement program?</p> <p>(G) Are Region/State strategies updated to reflect current Agency enforcement policies and priorities for assuring compliance with schedules?</p> <p>(H) Does the Region and each State maintain a fixed-base list of are affected NMP minors that must be addressed by 1988?</p> <p>(I) Are the Region and the States establishing MCP schedules for affected minors? When will this be completed?</p>				

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<u>ACTIVITIES</u>	<u>QUALITATIVE MEASURES FOR MID-YEAR REVIEWS</u>	<u>QUANTITATIVE MEASURES</u>	<u>IN SPMS/ COMMITMENT</u>	<u>REPORTING FREQUENCY</u>	<u>SOURCE OF DATA</u>
3. Ensure Industrial Compliance with BAT and Water Quality based Toxic Requirements.	(A) How do the Region and each State direct compliance monitoring efforts to enforce BAT and water quality-based toxic requirements? (B) Do the Region and each State have sufficient laboratory capability to conduct the necessary analysis to support toxic inspections?				

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<u>ACTIVITIES</u>	<u>QUALITATIVE MEASURES FOR MID-YEAR REVIEWS</u>	<u>QUANTITATIVE MEASURES</u>	<u>IN SPMS/ COMMITMENT</u>	<u>REPORTING FREQUENCY</u>	<u>SOURCE OF DATA</u>
4. Improve Quality and Timeliness of Enforcement Responses	<p>(A) Are the Region/States working effectively with Federal facility coordinators to improve enforcement response times to instances of noncompliance by Federal facilities? If not what is the nature of the problem? Are approved States using their full range of enforcement authority against Federal facilities? If so, what are the results? If not, why not?</p> <p>(B) How do the Region and States measure the effectiveness and quality of AOs and NOV's?</p> <p>(C) Do Region/States track AO requirements closely? Have all close-outs been reported to Headquarters? Are they reported promptly upon close-out?</p>	<p>(a) <u>ADMINISTRATIVE ORDERS</u> (AOs) Yes/No # of EPA AOs or State WO/E-13 equivalent actions issued: - municipal permittees (major/ minor) - non-municipal permittees (major/minor) - Federal permittees (major/ minor) - Unpermitted facilities (list separately: EPA, NPDES States).</p> <p>(b) <u>CLOSE-OUT UNIVERSE</u> # of EPA AOs with final compliance dates between July 1, 1986 through June 30, 1987</p>	<p>No/No</p>	<p>Quarterly</p> <p>10/15/86</p>	<p>PCS</p> <p>Region/ States</p>

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<u>ACTIVITIES</u>	<u>QUALITATIVE MEASURES FOR MID-YEAR REVIEWS</u>	<u>QUANTITATIVE MEASURES</u>	<u>IN SPMS/ COMMITMENT</u>	<u>REPORTING FREQUENCY</u>	<u>SOURCE OF DATA</u>
4. Improve Quality and Timeliness of Enforcement Responses (Cont'd)	(D) How do the Region and States ensure that violations of Court Orders/AO's get prompt enforcement action?	(c) <u>CLOSE-OUTS ACHIEVED</u> # and % of (b) which are successfully closed-out (the final step is achieved or action is referred to Headquarters or DOJ).	No/OW	Quarterly	Region/ State
	(E) How are the Region/States using National criteria to select referral cases? What is the involvement of ORC in this selection?	(d) <u>REFERRALS</u> # of §309 referrals or State equivalent actions generated: - civil referrals sent to HQ/DOJ/SAG; - civil referrals filed; and - criminal referrals filed (list separately: EPA, NPDES States).	Yes/No WQ/E-14	Quarterly	DOCKET System and Region/ States
	(F) What is the level of coordination between the compliance section and ORC in the Region? If less than satisfactory, what steps is the Region taking to improve coordination?				
	(G) What is the level of coordination between the NPDES States enforcement program and the State Attorney General's Office? Are there established procedures for coordination & communication? If less than satisfactory, what steps is State taking to improve coordination?				
	(H) Discuss the quality of the referral packages. Do all referral packages contain appropriate civil penalties that conform with FY 1986 Penalty Policy?				

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<u>ACTIVITIES</u>	<u>QUALITATIVE MEASURES FOR MID-YEAR REVIEWS</u>	<u>QUANTITATIVE MEASURES</u>	<u>IN SPMS/ COMMITMENT</u>	<u>REPORTING FREQUENCY</u>	<u>SOURCE OF DATA</u>
4. Improve Quality and Timeliness of Enforcement Responses (Cont'd)	<p>(I) What problems are the Region encountering in assessing penalties using the CWA Penalty Policy? Is Region generally getting the penalty amounts identified in the referral packages?</p> <p>(J) Have the Region and approved States negotiated a basis for Regional evaluation of the State's penalty program, including identification of sanctions which might be used in lieu of penalties and the documentation which must be maintained by the State for review? Are States complying with the provisions of the agreement on penalties? Are States getting the penalty amounts they are seeking?</p> <p>(K) Identify any States which have adopted the EPA approach of attempting to recover economic benefit plus a gravity component.</p>				

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<u>ACTIVITIES</u>	<u>QUALITATIVE MEASURES FOR MID-YEAR REVIEWS</u>	<u>QUANTITATIVE MEASURES</u>	<u>IN SPMS/ COMMITMENT</u>	<u>REPORTING FREQUENCY</u>	<u>SOURCE OF DATA</u>
4. Improve Quality and Timeliness of Enforcement Responses (cont.)	(L) What is the quality of active consent decrees? Do Regions/States use PCS to track compliance with consent decree schedules, If not, why not?	(e) <u>CONSENT DECREES</u> Identify by name and NPDES number all permittees with active consent decrees and report their compliance status as follows: - in compliance with decree; - in violation of decree, but remedial action taken; and - in violation of decree, no remedial action taken (list separately: major, minor; municipal, non-municipal, Federal).	No/No	Quarterly	OECM/ Region/ States
	(M) What types of action are being taken in response to violations of consent decrees? Are stipulated penalties collected? Are civil contempt proceedings initiated? Are the decrees modified? Are additional compliance monitoring requirements imposed?	(f) <u>Consent Decrees</u> Track, by Region, the total number of settlements of Judicial/Consent Decrees filed in Federal Courts	No/No	Quarterly	OECM
	(N) What are the reasons for the Region's/States' failure to take remedial action against permittees that violate their consent decrees?	(g) <u>DMR/QA</u> # of follow-up actions on DMR/QA performance sample results: - nonrespondents; - permittees requiring corrective action.	No/No	Semi-annually; April 1, 1987 Oct. 1, 1987	Region
	(O) What problems still need to be addressed by the Region/States to make the DMR/QA program more effective? Should it cover pretreatment?				
	(P) What procedures does the Region have in place to identify criminal cases? What role does the Office of Regional Counsel play in identification and case development?				

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<u>ACTIVITIES</u>	<u>QUALITATIVE MEASURES FOR MID-YEAR REVIEWS</u>	<u>QUANTITATIVE MEASURES</u>	<u>IN SPMS/ COMMITMENT</u>	<u>REPORTING FREQUENCY</u>	<u>SOURCE OF DATA</u>
4. Improve Quality and Timeliness of Enforcement Responses (Cont'd)	(Q) What is involved in State/Region coopera- tion and how has it worked best? Are States participating fully? (R) What is the trend in the number of EPA formal enforcement actions relative to State activity since the implementation of the timely and appropriate criteria in FY 1985?				

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<u>ACTIVITIES</u>	<u>QUALITATIVE MEASURES FOR MID-YEAR REVIEWS</u>	<u>QUANTITATIVE MEASURES</u>	<u>IN SPMS/ COMMITMENT</u>	<u>REPORTING FREQUENCY</u>	<u>SOURCE OF DATA</u>
5. Non-NPDES Enforcement	<p>(A) Have the Region/States taken any enforcement actions to protect water, including wetlands, from unpermitted discharges of solid waste?</p> <p>(B) What role does the Water Management Division have in determining the appropriate enforcement response to oil or hazardous substance spills?</p> <p>(C) What criteria do the Region use in determining where Spill Prevention Control and Control measure Plan inspections should be conducted? Does the Region always require that the plan be amended after a spill of 1,000 gallons or more?</p> <p>(D) What measures does the Regions allocate to non-NPDES enforcement?</p>				

WATER ENFORCEMENT AND PERMITS

Enforcement

<u>ACTIVITIES</u>	<u>QUALITATIVE MEASURES FOR MID-YEAR REVIEWS</u>	<u>QUANTITATIVE MEASURES</u>	<u>IN SPMS/ COMMITMENT</u>	<u>REPORTING FREQUENCY</u>	<u>SOURCE OF DATA</u>
6. Increase Use of PCS as the Primary Source of NPDES Program Data	(A) What actions are Region/States taking to improve the quality of PCS data?	(a) <u>WENDB</u> Quarterly verify Water Enforcement National Data Base (WENDB) and DMR data for completeness and accuracy in both: - NPDES States; - non-NPDES States.	No/No	Quarterly	PCS
	(B) Are the Regions entering required data into PCS in a timely fashion? What are the Region's/States procedures for routinely entering and verifying discharge monitoring report data for all major permittees, in particular, completed and operational P.L. 92-500 facilities?	(b) Track, by Region, the percent of required compliance information entered into PCS as stated in the Policy Statement.	No/OW	Quarterly	PCS
	(C) Do the Region/States use the preprinted DMR form to minimize compliance tracking problems and PCS entry workload? What is the Region doing to encourage the States to use preprinted DMRS? If the States are not using preprinted DMRS, why?				
	(D) What steps are the Region/States taking to ensure a greater than 95% accuracy rate in maintaining PCS.				

WATER ENFORCEMENT AND PERMITS

Enforcement

<u>ACTIVITIES</u>	<u>QUALITATIVE MEASURES FOR MID-YEAR REVIEWS</u>	<u>QUANTITATIVE MEASURES</u>	<u>IN SPMS/ COMMITMENT</u>	<u>REPORTING FREQUENCY</u>	<u>SOURCE OF DATA</u>
6. Increase Use of PCS as the Primary Source of NPDES Program Data (Cont'd)	<p>(E) How is the Region encouraging direct State use of PCS? Is the Region giving priority in assistance and program grant funding to States that are direct users of PCS? If States are not using PCS consistent with the PCS policy, are grant conditions being imposed to expedite compliance? Is the Region aware of any State(s) planning to move off PCS? If so, what steps is the Region taking?</p> <p>(F) Are States seeking NPDES authority being required to become direct users of PCS?</p>				
7. Improve Effectiveness of Inspection Activities	<p>(A) Do the Region/States have annual compliance inspection plans for each State? What is the quality of these plans? Discuss how these plans are used.</p> <p>(B) Do the Region/States prepare quarterly lists of facilities to be inspected? What are the criteria used to select facilities to be inspected? Are the inspections planned to match the specific situation at each facility?</p>	<p>(a) <u>INSPECTION PLANS</u> # of Regional and State inspection plans.</p> <p>(b) <u>MAJORS INSPECTED</u> Track, by Region, the progress against annual targets for the number of major permittees inspected at least once by EPA/States (list separately: municipal, non-municipal, federal; EPA, State).</p>	<p>No/OW</p> <p>Yes/SPMS WQ/E-18</p>	<p>Oct. 1, 1986</p> <p>Quarterly</p>	<p>Region</p> <p>PCS</p>

WATER ENFORCEMENT AND PERMITS

Enforcement

<u>ACTIVITIES</u>	<u>QUALITATIVE MEASURES FOR MID-YEAR REVIEWS</u>	<u>QUANTITATIVE MEASURES</u>	<u>IN SPMS/ COMMITMENT</u>	<u>REPORTING FREQUENCY</u>	<u>SOURCE OF DATA</u>
7. Improve Effectiveness of Inspection Activities (Cont'd)	<p>How do the Region/States determine the appropriate mix? Is the mix consistent with the "primary use" criteria included in the NPDES Inspection Strategy?</p> <p>(C) How do the Region and States use DMR/QA performance sample results for targeting compliance inspections?</p> <p>(D) What mechanism is used to assure that inspection results are provided to the Region/States in a timely manner? Are the data entered into PCS only after the report has been completed and signed by the reviewer or supervisor?</p> <p>(E) How does the Region/State follow-up when inspection results are unsatisfactory? When RI uncover problems, does the Region/State follow-up with a more intensive inspection?</p>	<p>(c) <u>INSPECTIONS</u> # of inspections (CEI or better):</p> <ul style="list-style-type: none">- major permittee inspections (list separately: municipal, non-municipal, federal; EPA, State)- minor P.L. 92-500 permittee inspections (list separately: EPA, State)- significant minor permittee inspections (list separately: municipal, non-municipal, federal; EPA, State).	No/OW	Quarterly	PCS

WATER ENFORCEMENT AND PERMITS

Enforcement

<u>ACTIVITIES</u>	<u>QUALITATIVE MEASURES FOR MID-YEAR REVIEWS</u>	<u>QUANTITATIVE MEASURES</u>	<u>IN SPMS/ COMMITMENT</u>	<u>REPORTING FREQUENCY</u>	<u>SOURCE OF DATA</u>
7. Improve Effectiveness of Inspection Activities (Cont'd)	(F) How do the Region's/States' inspection policies focus on the most significant violators? (G) How does the Region provide its States with advance notice of inspections? Discuss how Regional and State efforts are coordinated. Discuss use of independent and joint inspections and State file reviews to overview the State inspection program. (H) Have the Region/States verified that Reconnaissance Inspections of major permittees are only done on those permittees meeting the requirements specified in the attached definition section? (I) Is the Region/State conducting inspections consistent with the assumptions used for the FY 1987 resource allocation? Is the Region setting aside a portion of its resources to do inspections on minors? Discuss.				

WATER ENFORCEMENT AND PERMITS

Enforcement

<u>ACTIVITIES</u>	<u>QUALITATIVE MEASURES FOR MID-YEAR REVIEWS</u>	<u>QUANTITATIVE MEASURES</u>	<u>IN SPMS/ COMMITMENT</u>	<u>REPORTING FREQUENCY</u>	<u>SOURCE OF DATA</u>
8. Update and Use EMS Enforcement Procedures	<p>(A) Do the Region/States have written EMS procedures which have been updated to reflect the approved FY 1986 EMS. If not, when will the Region/States have written procedures? Please submit a copy of an EMS from one State in the Region?</p> <p>(B) Have the Region/States implemented use of the Violation Review Action Criteria included in the FY 1986 EMS as the basis for determining when violations should receive professional review? If not, when will the Region/States begin to use these criteria?</p> <p>(C) If the State has developed its own criteria are they, at least, as stringent as the Federal Criteria?</p> <p>(D) Do Region/States follow their own enforcement response guide in selecting the appropriate response?</p> <p>(E) What kinds of formal enforcement actions are the Region/States using? What is the quality of these actions?</p>				

WATER ENFORCEMENT AND PERMITS

Enforcement

<u>ACTIVITIES</u>	<u>QUALITATIVE MEASURES FOR MID-YEAR REVIEWS</u>	<u>QUANTITATIVE MEASURES</u>	<u>IN SPMS/ COMMITMENT</u>	<u>REPORTING FREQUENCY</u>	<u>SOURCE OF DATA</u>
8. Update and Use EMS Enforcement Procedures (Cont'd)	<p>(F) What kinds of informal actions (if any) are the Region/ States using in lieu of formal enforcement action? Are these actions documented properly? Are they effective? Do they identify chronic low-level violators? Are there provisions for escalating these responses in appropriate cases?</p> <p>(G) How often is it necessary for the Region to take a direct enforcement action in an NPDES State? Which States? Is EPA direct enforcement activity increasing/decreasing?</p> <p>Are the actions taken consistent with the criteria in the State overview guidance, including prior notification and consultation?</p> <p>(H) Do the Regional/State EMSs cover pretreatment violations?</p> <p>(I) Do the Regional/States apply the EMS guide to pretreatment violations?</p>				

WATER ENFORCEMENT AND PERMITS

Enforcement

<u>ACTIVITIES</u>	<u>QUALITATIVE MEASURES FOR MID-YEAR REVIEWS</u>	<u>QUANTITATIVE MEASURES</u>	<u>IN SPMS/ COMMITMENT</u>	<u>REPORTING FREQUENCY</u>	<u>SOURCE OF DATA</u>
9. Use Guidance Criteria and Milestones for Response to Noncompliance	(A) What is the screening process used by the Region & States for identifying violations and applying SNC criteria? How are short term violations requiring Regional/State judgment handled?	(a) <u>EXCEPTION LIST UNIVERSE</u> Identify by name and NPDES number major permittees appearing on two or more consecutive QNCRs as being in significant noncompliance (SNC) with: - final effluent limits (FEL); - construction schedules (CS); and - interim effluent limits (IEL) without being returned to compliance or addressed with a formal enforcement action (list separately: municipal, non-municipal, federal; NPDES States, non-NPDES States).	Yes/No WQ/E-7 WQ/E-9 WQ/E-11	Quarterly	QNCR and Region/States (Data lagged one qtr)
	(B) How do the Region and States use the exception list to establish a priority for committing compliance/enforcement resources?	(b) <u>EXCEPTION LIST TRACKING</u> Identify the names and total number of major permittees listed in the Exception List Universe for the previous quarter for which one of the following has occurred: - # returned to compliance; - # not yet in compliance but addressed with a formal enforcement action (list separately: municipal, non-municipal, federal; SNC with FEL, CS, IEL; NPDES States, non-NPDES States). (list separately from Exception List Universe)	Yes/SPMS-composite of the two categories only WQ/E-8 WQ/E-10 WQ/E-12	Quarterly	QNCR and Region/State (Data lagged one qtr)
	(C) What problems have the Region/States been facing that would prevent them from meeting the time-lines prescribed? Which States consistently miss commitments? Does the Region provide adequate justification for facilities being on the exception list?				
	(D) Does the Region use the exception list as a way of tracking state programs? Are they reviewed quarterly along with the QNCR? Are the lists are effective management tool for the States?				

WATER ENFORCEMENT AND PERMITS

Enforcement

<u>ACTIVITIES</u>	<u>QUALITATIVE MEASURES FOR MID-YEAR REVIEWS</u>	<u>QUANTITATIVE MEASURES</u>	<u>IN SPMS/ COMMITMENT</u>	<u>REPORTING FREQUENCY</u>	<u>SOURCE OF DATA</u>
9. Use Guidance Criteria and Milestones for Response to Noncompliance (con't)	(E) Is there consistent appli- cation of the criteria/milestones from Stat-to-State within the Region? If not, what steps is Region planning to take to improve consistency? (F) Has the use of the Exceptions List had any negative effects on your response to othe instances of non compliance? If so, discuss.				

WATER ENFORCEMENT AND PERMITS

Pretreatment

<u>ACTIVITIES</u>	<u>QUALITATIVE MEASURES FOR MID-YEAR REVIEWS</u>	<u>QUANTITATIVE MEASURES</u>	<u>IN SPMS/ COMMITMENT?</u>	<u>REPORTING FREQUENCY</u>	<u>SOURCE OF DATA</u>
1. Develop and Approve/Modify Local Pre-treatment Programs	(A) What rationale does the Region/States use to add/delete municipalities from the list of required local programs?	(a) Identify the local pre-treatment programs requiring approval but not yet approved at the beginning of the fiscal year and distinguish between those newly identified in FY 86 and those previously required. (list separately: non-pretreatment States, approved pretreatment States).	No/No	10/31/86	Region/ States
	(B) Have Region/States developed priority lists of municipalities requiring pretreatment program modification? Are all modifications approved/denied within 90 days or are priorities required? How are priorities established for acting on program modifications? What is the Region/States doing to encourage local program modifications where deficiencies are identified? Is the Region/States relying solely on the POTW to identify deficiencies?	(b) Track progress against targets for the programs approved during FY 1987 (list separately: non-pretreatment States, approved pretreatment States).	No/OW	Quarterly	PCS/ Region/ States
		(c) Identify the local pre-treatment programs approved before beginning of fiscal year (list separately: non-pretreatment States, approved pretreatment States).	No/No	10/31/86	Region/ States
	(C) How well is EPA contract assistance (type and level) supporting development and review of local program submissions for new or modified programs?	(d) Identify the # of program modifications acted on/pending during FY 87 (list separately: approved, denied, pending more than 90 days; non-pretreatment States, approved pretreatment States).	No/No	Quarterly	Region/ States

WATER ENFORCEMENT AND PERMITS

Pretreatment

<u>ACTIVITIES</u>	<u>QUALITATIVE MEASURES FOR MID-YEAR REVIEWS</u>	<u>QUANTITATIVE MEASURES</u>	<u>IN SPMS/ COMMITMENT?</u>	<u>REPORTING FREQUENCY</u>	<u>SOURCE OF DATA</u>
1. Develop and Approve/Modify Local Pre- treatment Programs (cont'd)	(D) If a local program is not acceptable, how long does the Region/States allow for a resubmission? Are any programs being approved subject to conditions? Are schedules tracked in PCS? (E) Are cities implementing changes to approved programs before the Region/States acts on the modification request? If so, has this caused any problems in cases where modification is denied?				

WATER ENFORCEMENT AND PERMITS

Pretreatment

<u>ACTIVITIES</u>	<u>QUALITATIVE MEASURES FOR MID-YEAR REVIEWS</u>	<u>QUANTITATIVE MEASURES</u>	<u>IN SPMS/ COMMITMENT</u>	<u>REPORTING FREQUENCY</u>	<u>SOURCE OF DATA</u>
2. Take Actions as Required to Obtain Compliance with Pretreatment Requirements	<p>(A) When a local program submitted for approval is not acceptable, what follow-up action is taken by the Region/State if the local program is not resubmitted in the time prescribed by the Approval Authority?</p> <p>(B) What are the criteria used by EPA/States to select industrial users to be inspected? Do the Region/States place a priority on inspecting IUs subject to Federal categorical standards which are located where there is no local program? What do the results of these inspections indicate? What use is being made of IU results? Does the Region/State include personnel from the approved POTW in the IU inspection?</p> <p>(C) Does the Region/State use the PCI checklist in conducting POTW pretreatment inspections? If the checklist is modified, describe the modifications.</p>	<p>(a) <u>PRETREATMENT INSPECTIONS</u> (see also POTW pretreatment audits) # of EPA and State pretreatment inspections of: - Pretreatment POTWs - Industrial Users (IUs) that discharge to unapproved POTWs - IUs that discharge to approved POTWs</p> <p>(list separately: POTW, IU of an unapproved POTW, IU of an approved POTW; EPA, States).</p>	Yes/SPMS WQ/E-15	Quarterly	PCS

Pretreatment

<u>ACTIVITIES</u>	<u>QUALITATIVE MEASURES FOR MID-YEAR REVIEWS</u>	<u>QUANTITATIVE MEASURES</u>	<u>IN SPMS/ COMMITMENT</u>	<u>REPORTING FREQUENCY</u>	<u>SOURCE OF DATA</u>
2. Take Actions as Required to obtain Compliance with Pretreatment Requirements (Cont'd)	(D) How do the Region/States ensure that local pretreatment programs are fully implementing NPDES permit pretreatment requirements? (E) How do the Region and States identify and respond to industrial noncompliance with categorical pretreatment standard deadlines in a municipality where there is an approved pretreatment program? Where there is not an approved pretreatment program?	(b) <u>PRETREATMENT AOs</u> # of EPA AOs and State equivalent actions issued: - for POTW pretreatment violations - for industrial user pretreatment violations (list separately: EPA, States).	Yes/No WQ-E-16	Quarterly	PCS Region/ States
	(F) What is the quality of pretreatment AOs? Referrals? (G) What are the criteria the Region/States use to select pretreatment referral cases? What is the involvement of ORC in this selection? (H) What is the level of coordination for pretreatment cases between the compliance section and ORC in the Region and the respective agencies in the States? If less than satisfactory, what steps is the Region taking to improve coordination?	(c) <u>PRETREATMENT REFERRALS</u> # of pretreatment referrals or State equivalent actions: - civil referrals sent to HQ/DOJ/SAG; - civil referrals filed; and - criminal referrals filed in response to: - POTW non-submittal of an approvable pretreatment program. - other POTW pretreatment violations - industrial user pretreatment violations (list separately: EPA, States).	Yes/No WQ/E-17	Quarterly	DOCKET System and Region/ States*

* State pretreatment referral numbers are reported to OWEP.

WATER ENFORCEMENT AND PERMITS

Pretreatment

<u>ACTIVITIES</u>	<u>QUALITATIVE MEASURES FOR MID-YEAR REVIEWS</u>	<u>QUANTITATIVE MEASURES</u>	<u>IN SPMS/ COMMITMENT</u>	<u>REPORTING FREQUENCY</u>	<u>SOURCE OF DATA</u>
2. Take Actions as Required to Obtain Compliance with Pretreatment Requirements	(I) To the extent resources allow, are sludge disposal inspections conducted at POTWs required to have pretreatment programs? Where else are they conducted? What activities are included in sludge inspections? What follow-up occurs where problems are encountered? What is resources impact of sludge disposal inspections?				

* State pretreatment referral numbers are reported to OWEP.

WATER ENFORCEMENT AND PERMITS

Pretreatment

<u>ACTIVITIES</u>	<u>QUALITATIVE MEASURES FOR MID-YEAR REVIEWS</u>	<u>QUANTITATIVE MEASURES</u>	<u>IN SPMS/ COMMITMENT</u>	<u>REPORTING FREQUENCY</u>	<u>SOURCE OF DATA</u>
3. Oversee Effectiveness of Local Pretreatment Program Implementation	(A) Have Region/States developed local program inventories which enables the identification of the priority programs? Are the priorities set on the basis of the relative size of approved local programs in terms of population and number of significant industrial users?	(a) Track progress against targets for the number of audits of approved local pretreatment programs (non-pretreatment States, approved pretreatment States).	Yes/SPMS WQ-16	Quarterly	Region
	(B) How are audits used by Region/States to overview implementation? What are the findings from these audits?	(b) Track # of pretreatment categorical determinations made and # of removal credit applications received (non-pretreatment States, approved pretreatment States).	No/No	Quarterly	Region/ States
	(C) Are annual report submissions by POTWs reviewed by the Region/State? What criteria are used for these reviews? Are approved program reviews conducted by the Region/State?	(c) Track # of POTW annual reports required/received/reviewed (non-pretreatment States, pretreatment States).	No/No	Quarterly	Region/ States
	(D) How well are POTWs implementing the program? For example, are POTWs conducting the required local limits headworks analysis, developing new local limits, issuing permits to industrial users, requesting programs to improve their effectiveness, etc.? Characterize the changes being made	(d) Identify # of POTWs that need to conduct local limits headworks loading analysis (non-pretreatment States, approved pretreatment States).	No/No	Quarterly	Region/ States
		(e) Track # of POTWs requesting changes to local limits (non-pretreatment States, approved pretreatment States).	No/No	Quarterly	Region/ States

WATER ENFORCEMENT AND PERMITS

Pretreatment

<u>ACTIVITIES</u>	<u>QUALITATIVE MEASURES FOR MID-YEAR REVIEWS</u>	<u>QUANTITATIVE MEASURES</u>	<u>IN SPMS/ COMMITMENT</u>	<u>REPORTING FREQUENCY</u>	<u>SOURCE OF DATA</u>
3. Oversee Effectiveness of Local Pre- treatment Program Im- plementation (cont.'d)	<p>to local limits. Are they new limits, deletions, more or less stringent? What is the Region/State strategy for assuring POTWs develop/imple- ment adequate local limits? Do NPDES permits include toxicity limits that may be used to establish local limits? Are they being reflected in local limits?</p> <p>(E) Are POTWs developing water quality-based local limits or requiring IUs to conduct toxicity testing? To what extent are POTWs issuing individual permits or equivalent control mech- anisms to IUs?</p> <p>(F) What mechanisms are being used by local pro- grams to apply categorical standards to IUs? To what extent are local programs failing to apply categori- cal standards? What prob- lems are being encountered? How well are local programs enforcing categorical stan- dards? Are Region/States ex- periencing problems with POTWs not correctly using the combined wastestream formula?</p>				

WATER ENFORCEMENT AND PERMITS

Pretreatment

<u>ACTIVITIES</u>	<u>QUALITATIVE MEASURES FOR MID-YEAR REVIEWS</u>	<u>QUANTITATIVE MEASURES</u>	<u>IN SPMS/ COMMITMENT</u>	<u>REPORTING FREQUENCY</u>	<u>SOURCE OF DATA</u>
3. Oversee Effectiveness of Local Pretreatment Program Implementation (cont'd)	<p>(G) What problems is the Region having with categorical determinations, FDF variances, and requests for removal credits?</p> <p>(H) Is experience from program audits used by the Region/State to improve future local programs or train POTW staff?</p> <p>(I) Do POTWs have adequate data management systems to track IU compliance? What kinds of problems are being encountered? What solutions are being proposed?</p> <p>(J) How well are Region/States using contractor assistance (type and level) supporting implementation and helping to resolve problems?</p>				

WATER ENFORCEMENT AND PERMITS

Prereatment

<u>ACTIVITIES</u>	<u>QUALITATIVE MEASURES FOR MID-YEAR REVIEWS</u>	<u>QUANTITATIVE MEASURES</u>	<u>IN SPMS/ COMMITMENT</u>	<u>REPORTING FREQUENCY</u>	<u>SOURCE OF DATA</u>
4. Enforce Pretreatment Standards as a Control Authority	(A) Have Region/States completed an inventory of categorical industrial users in cities without required pretreatment programs? How were the inventories conducted? How will the inventory be maintained?	(a) Identify # of CIUs in non-pretreatment cities (report non-pretreatment States and pretreatment States separately).	No/No	Initial and final totals	Region/ States
	(B) Does the Region/ State notify categorical industrial users of their pretreatment and RCRA responsibilities?	(b) Track levels (percent) of significant non-compliance by CIUs in non-pretreatment cities. (Report separately for non-pretreatment States and pretreatment States).	No/No	Quarterly	Region/ States
	(C) Does the Region/ State receive and evaluate baseline monitoring reports, compliance reports, and periodic monitoring reports from IUs in non-pretreatment cities? How does the Region establish compliance schedules and monitoring frequencies?				
	(D) How long does it take the IUs to install appropriate treatment after notification?				

WATER ENFORCEMENT AND PERMITS

State Program Approval/Review/Oversight

<u>ACTIVITIES</u>	<u>QUALITATIVE MEASURES FOR MID-YEAR REVIEWS</u>	<u>QUANTITATIVE MEASURES</u>	<u>IN SPMS/ COMMITMENT</u>	<u>REPORTING FREQUENCY</u>	<u>SOURCE OF DATA</u>
1. Approve NPDES State Program Requests	(A) What is Region's strategy for each State to achieve full NPDES program administration. (B) What progress is being made (State-by- State) with respect to NPDES States assuming pretreatment/federal facilities programs? (C) Do FY 87 work plans/ grant agreements have milestones for completing approval? What else is the Region doing to encourage State assumption? Is the Region considering further action in any of the States? Have the States been informed of the possibility of program withdrawal?	(a) Achieve NPDES program approvals and modifications in accordance with established schedules: - Full NPDES programs; - Pretreatment program modifications; - Federal facility modifications.	No/OW	Provide list start of FY	Regions

WATER ENFORCEMENT AND PERMITS

State Program Approval/Review/Oversight

<u>ACTIVITIES</u>	<u>QUALITATIVE MEASURES FOR MID-YEAR REVIEWS</u>	<u>QUANTITATIVE MEASURES</u>	<u>IN SPMS/ COMMITMENT</u>	<u>REPORTING FREQUENCY</u>	<u>SOURCE OF DATA</u>
2. Review Approved NPDES State Statutory and Regulatory Authority.	(A) Has the Region had any difficulties in obtaining adequate documentation from the States to conduct these reviews? If so, what documents are usually needed, how are the difficulties being resolved, and how long are the delays?	(a) Update list of NPDES Staes for which Region will assess statutory and regulatory authority in FY 87.	No/OW	Provide list start of FY	Region
	(B) Does the Office of Regional Counsel parti- pate in the reviews? In what way? Do they parti- cipate in the process of selecting States for review and making commit- ments? Do they follow through with their work? In a timely manner? Are priorities a problem? If so, how are conflicts resolved?	(b) Track progress against targets (if target - then a commitment) for the number of NPDES States for which statutory and regulatory authority is assessed in FY 87.	Yes/OW	Second and Fourth Quarters	Region
	(C) Does the Region have a routine mechanism for learning of changes to State laws and regulations? If so, describe the process.				

WATER ENFORCEMENT AND PERMITS

State Program Approval/Review/Oversight

<u>ACTIVITIES</u>	<u>QUALITATIVE MEASURES FOR MID-YEAR REVIEWS</u>	<u>QUANTITATIVE MEASURES</u>	<u>IN SPMS/ COMMITMENT?</u>	<u>REPORTING FREQUENCY</u>	<u>SOURCE OF DATA</u>
3. Execute EPA/State NPDES Agree- ments	(A) Has the Region executed NPDES agreements with all approved NPDES States? When are these agreements signed? Who participates in their development? Please provide an example of one of your FY 1987 State enforcement agreements. (B) What problems have arisen in the development of EPA/ State NPDES agreements? How are they resolved? Are there any particular elements of national policy and guidance on State overview that have been difficult to implement? Are there any recommendations for changing national policy or guidance?				

WATER ENFORCEMENT AND PERMITS

State Program Approval/Review/Oversight

<u>ACTIVITIES</u>	<u>QUALITATIVE MEASURES FOR MID-YEAR REVIEWS</u>	<u>QUANTITATIVE MEASURES</u>	<u>IN SPMS/ COMMITMENT?</u>	<u>REPORTING FREQUENCY</u>	<u>SOURCE OF DATA</u>
4. Provide Effective Oversight of Approved NPDES State Programs	<p>(A) To what extent has the Region implemented the "Guidance for Oversight of NPDES Programs"?</p> <p>(B) Does the Region carry out a program of regularly scheduled assessments of each approved NPDES State to assure the adequacy of funding and staffing and to assure a demonstrated ability to set program priorities and effectively implement the NPDES program? What is the frequency; who is involved; and where is it done? What is the nature and timing of followup? Does this include identification of State needs and problems, evaluation of performing and providing of technical assistance?</p> <p>(C) Does oversight of State permitting include an audit of permits to assess the timely issuance of high-quality permits? How is this determined by the Region?</p>				

WATER ENFORCEMENT AND PERMITS

State Program Approval/Review/Oversight

<u>ACTIVITIES</u>	<u>QUALITATIVE MEASURES FOR MID-YEAR REVIEWS</u>	<u>QUANTITATIVE MEASURES</u>	<u>IN SPMS/ COMMITMENT?</u>	<u>REPORTING FREQUENCY</u>	<u>SOURCE OF DATA</u>
4. Provide Effective Oversight of Approved NPDES State Programs (Cont.d)	<p>(D) Does oversight of State compliance monitoring include an assessment of the timeliness, completeness, and accuracy of self-monitoring reports? How is this determined by the Region? Does the Region assess the States' reporting system on compliance status and the accuracy and accessibility of the information? Does the Region check the States compliance inspection activity with regard to its procedures and effectiveness? How?</p> <p>(E) Does oversight of State enforcement include an assessment of the timeliness of the evaluation of violations and the appropriateness of initial responses, followup and escalation until compliance is obtained? Are NOV's, AOs, and judicial actions assessed for their timeliness, clarity, and enforceability?</p> <p>(F) What progress is being made by the Region and States in developing and adhering to EPA/State enforcement agreements for improving compliance rates?</p>				

WATER ENFORCEMENT AND PERMITS

State Program Approval/Review/Oversight

<u>ACTIVITIES</u>	<u>QUALITATIVE MEASURES FOR MID-YEAR REVIEWS</u>	<u>QUANTITATIVE MEASURES</u>	<u>SPMS/OW COMMITMENT?</u>	<u>REPORTING FREQUENCY</u>	<u>SOURCE OF DATA</u>
4. Provide Effective Oversight of Approved NPDES State Programs (Cont'd)	(G) What is the nature and quality of typical communications between NPDES States and the Region? What steps are taken to assure continuing and effective State/EPA communications? What is the general condition of cooperation between the Region and each State? How are cooperative arrangements established? How is State/EPA cooperation assessed and problems remedied?				

WATER ENFORCEMENT AND PERMITS

State Program Approval/Review/Oversight

<u>ACTIVITIES</u>	<u>QUALITATIVE MEASURES FOR MID-YEAR REVIEWS</u>	<u>QUANTITATIVE MEASURES</u>	<u>SPMS/OW COMMITMENT</u>	<u>REPORTING FREQUENCY</u>	<u>SOURCE OF DATA</u>
5. Use Annual Grant Negotiations to rein- force performance	<p>(A) How are §106, §104 (b) (3) grants and the work planning process used to assure effective implementation of NPDES State programs? What water program areas are specifically addressed? Are they consistent with the Agency Operating Guidance? Is the Region working with the States to consolidate the work programs for all activities funded under §§106, 205(g), and 205(j)? Are 104 (b)(3) grants achieving enforcement improvements beyond that expected with § 106 work programs.</p> <p>(B) Is the Region using the performance-based grant approach? Describe the performance-based grant provisions employed by the Region. Does the Region find this approach beneficial to achieving program objectives? What is working and what is not working?</p> <p>NOTE: Qualitative and quantitative measures of State performance related to specific State activities (e.g., permitting and enforcement) may be found in other sections. Those measures also contribute to providing effective NPDES State Program oversight.</p>				

WATER ENFORCEMENT AND PERMITS

RCRA Activities for NPDES Facilities

<u>ACTIVITIES</u>	<u>QUALITATIVE MEASURES FOR MID-YEAR</u>	<u>QUANTITATIVE MEASURES</u>	<u>IN SPMS/ COMMITMENT?</u>	<u>REPORTING FREQUENCY</u>	<u>SOURCE OF DATA</u>
1. Implement Corrective Action Requirements	(A) Has the Region identified POTWs who handle hazardous wastes?	(a) Track, by Region, against targets the number of RCRA 3007 information gathering letters issued by EPA to municipalities	No/OW	Quarterly	Region
	(B) How many POTWs stopped handling hazardous waste since the Regional/ State notification of RCRA?	(b) Identify number of POTW notifications received and the numbers reviewed.	No/No	Quarterly	Region
	(C) Has the Region Modified Permits to include corrective action require- ments for all POTWs subject to corrective action?	(c) Identify number of POTW's subject to RCRA corrective action	No/No	Quarterly	Region
		(d) Identify number of POTW's for which remedial investigation conditions have been established to implement RCRA 3004(u).	No/No	Quarterly	Region
		(e) Identify number of POTW's for which corrective measures have been established to implement RCRA 3004 (u).	No/No	Quarterly	Region

WATER ENFORCEMENT AND PERMITS

RCRA Activities for NPDES Facilities

<u>ACTIVITIES</u>	<u>QUALITATIVE MEASURES FOR MID-YEAR</u>	<u>QUANTITATIVE MEASURES</u>	<u>IN SPMS/ COMMITMENT?</u>	<u>REPORTING FREQUENCY</u>	<u>SOURCE OF DATA</u>
2. Review Double Liner Exemption Application	(A) How long, on the average, does the Region take to complete the NPDES review? (B) Does the Region use special guidance where BAT requirements are not in place? (C) Does the Region/State track installation of the liners where the exemption's not granted or not requested? How does installation of the liner affect NPDES permit compliance?	(a) Track, by Region, against targets the number of double liner exemption requests evaluated by EPA to make NPDES-related findings as required by RCRA 3005(j)(3).	No/OW	Quarterly	Region

APPENDIX B

MUNICIPAL POLLUTION CONTROL

QUANTITATIVE MEASURE

DEFINITION/PERFORMANCE EXPECTATION

MANAGE TRANSITION TO STATE/LOCAL SELF-SUFFICIENCY:

1(a) Number of NMP projects
which initiate operations
during FY 1987.

This measure relates to those communities which have an active construction grant (Step 3 or 2+3). The commitment will be the number of compliance-related projects at NMP facilities which the Region estimates will initiate operation in FY 1987.

A "compliance-related project at an NMP facility" is a construction grant project at a non-complying facility that requires construction to achieve compliance, where completion of the grant project is necessary to eliminate a condition of non-compliance.

Performance Expectation

During FY 1986, the Regions will identify, thru GICS, the universe of compliance-related projects at NMP facilities (both majors and minors). For each project, the Region will identify those which will initiate operation in FY'87 and for information purposes, those which will initiate operation in FY'88 (through the 3rd quarter), and those which will initiate operation after July 1, 1988. An acceptable commitment for FY87 is that at least 95% of the construction grant-funded Step 3 and 2+3 projects targeted will initiate operations.

ENSURE EFFECTIVE STATE/REGIONAL MANAGEMENT:

1(a) Number of assistance disputes
arising under 40 CFR Part 30,
Sub-part L, filed before FY87,
for which decisions are issued
by the RA, or which are settled
or withdrawn.

For the final RA disputes pending at the beginning of the Fiscal Year, Regions will provide cumulative quarterly commitments for resolution. The performance expectation is that all assistance disputes arising under 40 CFR part 30, Sub-part L, and pending at the beginning of FY87, will be resolved (decided, settled, or withdrawn) by the end of the fiscal year.

MUNICIPAL POLLUTION CONTROL

QUANTITATIVE MEASURE

DEFINITION/PERFORMANCE EXPECTATION

ENSURE EFFECTIVE STATE/REGIONAL MANAGEMENT: (cont.)

1(a) (continued)

Performance Expectation

During FY 1986, the Office of Water Accountability System required the Regions to incorporate the time-based goals into the steps of the Regional disputes process. This required that interim and final milestone dates be established (e.g., date of informal conference, dates when program/legal review were completed, date RA decision was issued) for resolving a dispute when the dispute was filed. During FY'87, the Region will be measured against meeting those goals. Regions are advised that different sets of goals can be established depending upon the complexity of a particular dispute (e.g., simple, moderate, or difficult). A complex dispute involves a significant amount of technical and/or legal analysis in order to issue a reasonable decision or achieve a settlement. The target performance expectation is that all disputes will be resolved no later than 6 months after the dispute is filed. During FY'87, the performance expectation is that no more than 10% of the disputes will exceed their assigned time-based goal for resolution.

ENSURE EFFECTIVE CONSTRUCTION/PROGRAM INTEGRITY:

2(a) # of CMEs.

The objective of CMEs and PMCs is outlined in the Construction Management Evaluation and Project Management Conference Manual.

Performance Expectation:

The national target for CME's during FY 1987 is 165, with the objective of two to five per State, as shown in the following table established in the construction grants resource model:

<u>State Size</u>	<u>No. of CME's</u>
Small	2
Medium	3
Large	4
Super	5

Regions will lead or co-lead a significant number of CMEs. A Regional report will be submitted to Headquarters on each CME. PMC's are required on all new construction projects where both grantees and the project will benefit from training on grant requirements, recordkeeping requirements, project management, and schedule management techniques.

MUNICIPAL POLLUTION CONTROL

QUANTITATIVE MEASURE

DEFINITION/PERFORMANCE EXPECTATION

ENSURE EFFECTIVE CONSTRUCTION/PROGRAM INTEGRITY (cont.):

2(a) (continued)

NOTE: During FY 1986, revised CME and PMC manuals and project management review procedures will be developed. Training will be provided during the 2nd and 3rd Quarters of FY 1986.

5(a) % of Corps utilization vs. target.

Although this measure appears as a quantitative indicator, Headquarters does not regard it as a Regional commitment. The commitment is between Corps Divisions and EPA Regions. However, Headquarters does intend to track performance against plan in evaluating how effectively the Region is utilizing the Corps in the Region.

5(b) # of final construction inspections conducted by the COE.

This is the inspection to determine that construction of a project is complete and it is determined that:

- ° All construction associated with the last contract under that grant is complete in accordance with the approved plans, specifications and change orders; except for minor components (e.g., if all but land-scaping is done).
- ° All equipment is operational.
- ° Laboratory facilities, if part of approved plans and specifications, are available to conduct tests as required.
- ° The facilities are operating as designed (note that the Corps may not be responsible for this in certain States).

Performance Expectation:

A final construction inspection will be conducted on all grants projects approximately at the time of initiation of operation or physical completion. Accordingly, the commitment will be reviewed against the related commitment.

MUNICIPAL POLLUTION CONTROL

QUANTITATIVE MEASURE

DEFINITION/PERFORMANCE EXPECTATION

ENSURE EFFECTIVE CONSTRUCTION/PROGRAM INTEGRITY (cont.):

5(c) # of Project Management
Conferences (PMC's) conducted
by the COE.

The objective of a PMC is outlined in the Construction Management Evaluation and Project Management Conference manual. PMC's provide detailed requirements of construction grant project management, guidance to grantees on recordkeeping requirements, construction management techniques, and overall grant project management procedures.

Performance Expectation

A PMC should be conducted with virtually all new Step 3 and Step 2+3 grantees before the start of construction. Construction start is expected to take place within nine (9) months of Step 3 grant award or approval of the design portion of a Step 2+3 project.

7(a) Total dollar value (grant
amounts) in preconstruction
lag status expressed as a
percent of annual allotment.

Preconstruction lag is defined as the delay of Step 3 projects that have not initiated building within 9 months of grant award plus the delay of Step 2+3 projects that have not initiated building within 9 months of approval of plans and specifications. The initiation of building is defined as the date of issuance of a notice to proceed for all significant elements of the project, or, if a notice to proceed is not required, the date of execution of all significant contracts on the project.

GICS select logic for start of last significant elements is: KC= "A ", "F ", "B ". Dollar amount of lag in KC can be reduced by use of data elements V7 and V8.

Performance Expectation:

The objective of this indicator is to minimize and reduce the dollar value of projects in preconstruction lag status, expressed as a percentage of the annual allotment. For FY 1987, this goal is 10%. This measure will be used as an indicator of effective schedule management. Headquarters will periodically review performance and analyze the Regional actions taken to minimize and reduce lags.

MUNICIPAL POLLUTION CONTROL

QUANTITATIVE MEASURE

DEFINITION/PERFORMANCE EXPECTATION

ENSURE EFFECTIVE CONSTRUCTION/PROGRAM INTEGRITY (cont.):

7(b) # of delayed Step 2+3 projects moved to plans and specification approval stage.

A delayed Step 2+3 project is defined as any Step 2+3 project where the plans and specification have not been completed, reviewed and judged approvable by the reviewing office within 2 years of grant award.

GICS select logic for plans and specification reviewed and judged approvable is WO= 'Ab', 'Bb' or 'Fb'.

Performance Expectation:

The goal is to move all delayed Step 2+3 projects to plans and specification approval stage by the end of FY 1987.

An acceptable preliminary commitment would be one which equals the "estimated" number of delayed Step 2+3 projects available for movement to the plans and specifications approval stage during FY87 minus that subset of projects which have been jointly identified by Headquarters and the Region as unachievable in FY87. A final commitment will be determined on October 13, 1986, (the third update) by subtracting the number of identified unachievable projects from the "actual" number of delayed Step 2+3 projects available for movement during FY87.

The actual number of projects available for movement during FY87 will be obtained from a GICS report (to be developed).

Projects identified as "unachievable in FY87" must be documented by the Region by means of a short narrative submitted with the data request response. The narrative statements submitted by the Region must be project-specific and describe:

- current problem(s)/status;
- actions planned for FY 1987; and
- the estimated approval date for the plans and specifications.

MUNICIPAL POLLUTION CONTROL

QUANTITATIVE MEASURE

DEFINITION/PERFORMANCE EXPECTATION

ENSURE EFFECTIVE CONSTRUCTION/PROGRAM INTEGRITY (cont.):

7(b) (continued)

The final determination on achievability will be made as a result of discussions between Headquarters and the Region. The final determinations will be made prior to October 1, 1986.

In addition to submitting the requested narrative, the Region should make sure that GICS is revised to reflect the current target date and status code.

EXPEDITIOUSLY COMPLETE AND CLOSEOUT PROJECTS:

1(a) # of Step 3, Step 2+3, and
PL 84-660 projects initiating
operations.

A Step 3, Step 2+3, or PL 84-660 project is considered to have initiated operations when one of the following occurs:

- ° For projects awarded after 12/29/81, the date of "Initiation of Operation": N7 = 'Ab' or 'Bb' or 'Fb'.
- ° For projects awarded before 12/29/81, the date of "Physical Completion": N5 = 'Ab' or 'Bb' or 'Fb'.

Performance Expectation

The number of targeted projects available for initiations during FY87 will be obtained from a GICS report. An acceptable commitment for FY87 would be at least 95% of the Step 3 and 2+3 projects available for initiation of operations.

MUNICIPAL POLLUTION CONTROL

QUANTITATIVE MEASURE

DEFINITION/PERFORMANCE EXPECTATION

EXPEDITIOUSLY COMPLETE AND CLOSEOUT PROJECTS (cont.):

1(a) (continued)

The method that will be used by the GICS report to determine the actual number of "projects available for initiation of operations" in FY87 is given below:

1. Step 3, 2+3 projects with an actual award date less than December 29, 1981, will be considered to be available for initiation of operation in FY87 if:
 - ° GICS element N5 has a target date less than or equal to 9/30/87; or
 - ° the GICS element N5 is blank.
2. Step 3, 2+3 projects with an actual award date greater than or equal to December 29, 1981, will be considered to be available for initiation of operations in FY87 if:
 - ° GICS element N7 has a target date less than or equal to 9/30/87; or
 - ° GICS element N7 is blank.

MUNICIPAL POLLUTION CONTROL

QUANTITATIVE MEASURE

DEFINITION/PERFORMANCE EXPECTATION

EXPEDITIOUSLY COMPLETE AND CLOSEOUT PROJECTS (cont.):

1(b) # of Step 3, 2+3 and PL 84-660 administrative completions.

An administrative completion is any one of the following:

- ° A final audit request: N8 = 'Ab' or 'Fb' or 'Bb' or;
- ° A project for which all of the administrative requirements have been satisfied but has not been sent to OIG because of related segments or phases: N8 = 'AP', or;
- ° A project with claimed costs less than \$250,000 which does not require a final audit: N8 = 'NS'.

Final audit is requested when all of the following conditions have been satisfied:

- ° Construction is complete as defined in data element N5, Physical Completion Code & Date;
- ° All pre-final audit administrative requirements have been satisfied;
- ° Final inspection has been performed;
- ° The plan of operation has been implemented, or for projects awarded after December 29, 1981, an affirmative project performance certification has been received; or an acceptable corrective action report has been submitted.
- ° The "cut-off" letter has been issued to the grantee; and
- ° The final payment has been requested.

Performance Expectation:

All projects for which grants were awarded before December 29, 1981, are expected to be administratively completed within 12 months of physical completion. All projects awarded after December 29, 1981, are expected to be administratively completed within 18 months of initiation of operations. An acceptable commitment would be one which equals the estimated number of projects awaiting administrative completion at the beginning of FY 1987.

For projects awarded before 12/29/81, all projects which have been physically completed but not administratively completed, are considered as "awaiting administrative completion". For projects awarded after 12/29/81, the awaiting administrative completion status period starts when the project performance period ends (i.e., 12 months after initiation of operations).

MUNICIPAL POLLUTION CONTROL

QUANTITATIVE MEASURE

DEFINITION/PERFORMANCE EXPECTATION

EXPEDITIOUSLY COMPLETE AND CLOSEOUT PROJECTS (cont.):

1(c) # of Step 1's and Step 2's and Step 2, 2+3, backlogged Step 3, 2+3, and PL 84-660 projects administratively completed.

A Step 1 or Step 2 project is considered administratively complete when a final audit is requested, or for projects that cannot be sent to OIG because of ongoing Step 2, Step 2+3, or Step 3 projects, when all of the administrative completion requirements have been satisfied.

A Step 3, 2+3, or PL 84-660 administrative completion backlog is any one of the following:

- ° For projects awarded before 12/29/81, a project which has been physically complete for more than 12 months but has not yet been administratively completed.
- ° For projects awarded after 12/29/81, a project which has initiated operations for more than 18 months, but has not yet been administratively completed.

Performance Expectation:

The goal is to administratively complete all Step 1 and Step 2 projects and eliminate all Step 3, 2+3, and PL 84-660 administrative completion backlog projects by the end of FY 1987. A separate commitment component prepared using the method described below, must be submitted for Step 1 administrative completions, Step 2 administrative completions, and administrative completion backlogs.

An acceptable preliminary commitment would be one which equals the "estimated" number of Step 1 and 2 projects available for administrative completion plus the number of administrative completion backlog projects minus that subset of projects which have been jointly identified by Headquarters and the Regions as unachievable in FY87. A final commitment will be determined on October 13, 1987 (the third update) by subtracting the number of identified unachievable projects from the "actual" number of Step 1 and Step 2 projects available for administrative completion and the "actual" number of administrative completion backlog projects as of October 13, 1986.

MUNICIPAL POLLUTION CONTROL

QUANTITATIVE MEASURE

DEFINITION/PERFORMANCE EXPECTATION

EXPEDITIOUSLY COMPLETE AND CLOSEOUT PROJECTS (cont.):

1(c) continued

Projects identified as unachievable in FY87 must be documented by Regions by means of a short narrative submitted with the data request. The narrative statements submitted by the Region must be project-specific and must describe:

- current problem(s)/status;
- actions planned for FY87; and
- the estimated administrative completion date.

The final determination on achievability will be made as a result of discussions between Headquarters and the Region. The final determinations will be made prior to October 1, 1986.

In addition to submitting the requested narrative, the Region should make sure that GICS is revised to reflect the current target date and status code.

Recently issued Agency policy memos provided tools to the Regions to help them deal with the principle reasons/causes of delays. However, a limited number of Step 3, 2+3, and PL 84-660 backlogged administrative completion actions may not be within the control of the State/Region. These could involve project-wide claims/litigation, ongoing Federal/State investigations or other activities which preclude the determination of administrative completion and the initiation of a final audit.

MUNICIPAL POLLUTION CONTROL

QUANTITATIVE MEASURE

DEFINITION/PERFORMANCE EXPECTATION

IMPROVE PROGRAM MANAGEMENT:

1(a) % of cum. net monthly
outlays to commitment.

The net sum of payments made and payments recovered from PL 84-660 projects, PL 92-500 section 206(a) reimbursable projects, PL 92-500 contract authority projects, as well as projects funded with Talmadge/Nunn, FY 1977 supplemental, FY 1978 through FY 1987 budget authority, section 205(j) funds, and section 205(g) delegation funds. Region is expected to achieve a performance within +5% of its commitment on a monthly basis.

1(b) % of cum. gross quarterly
obligations to commitment.

Dollar amount of new awards and increases from projects funded with PL 92-500 contract authority, 1977 supplemental, FY 1978 through 1987 budget authority, section 205(j) funds and section 205(g) delegation funds. The amount does not include PL 84-660 and PL 92-500 section 206(a) reimbursable funds. Region is expected to achieve a performance within +15% of its commitment on a quarterly basis. Note: In accordance with Agency accounting practices, decreases of funds awarded in FY 1987 during FY 1987 will be subtracted from the gross total.

MUNICIPAL POLLUTION CONTROL

QUANTITATIVE MEASURE

DEFINITION/PERFORMANCE EXPECTATION

IMPROVE FACILITY PERFORMANCE•

1(a) # of minor POTW's returned to compliance or meeting schedules for corrective actions to return to compliance as a result of an Operations Management Evaluation (OME).

An Operations Management Evaluation (OME) is a problem diagnostic and onsite assistance program focused on small (generally under 1 mgd) POTWs. Candidate projects are identified through DMR or onsite reviews as having performance problems which are affecting plant compliance. An OME includes a diagnostic evaluation to identify O&M management and facility performance problems and appropriate on-site assistance to help resolve identified O&M problems. A report should be prepared at OME completion identifying compliance results and appropriate follow-up actions by EPA, State, and/or the community. Essentially, all State OME's are being conducted under Section 104(g)(1) grants.

Performance Expectation:

States and Regions are expected to commit jointly to conducting OME's in each State which result in return to compliance, or to ongoing local implementation of a program of needed compliance actions. The commitment is expected to be to a mid- and end-of-year total of the number of minor POTW's which are returned to compliance for at least three consecutive months during the fiscal year, and minor POTW's which are not yet in compliance but are taking longer term actions identified during an OME as needed for compliance achievement. Semi-annual reports against the total commitment will be required for POTW's returned to compliance and those on a schedule. A POTW returned to compliance more than once in a fiscal year may only be counted one time. The local corrective actions underway will generally include: resolution of significant design, construction, equipment, or budget problems identified through the diagnostic evaluation or on-site assistance which are preventing compliance by the POTW, and that are reflected in a formal or informal compliance agreement and schedule. Given the limited State and EPA resources available, Regional and State OME efforts generally should be focused on POTW's which are out of compliance rather than preventative OMEs.

State commitments are expected to be based primarily on, and are contingent upon, Section 104(g)(1) grants. Regional offices are expected to commit to a negotiated level of OME activity in each State consistent with the FY 1987 resource allocation.

MUNICIPAL POLLUTION CONTROL

QUANTITATIVE MEASURE

DEFINITION/PERFORMANCE EXPECTATION

IMPROVE FACILITY PERFORMANCE (cont.):

1(b) % of projects that completed the one year operational period that provide an affirmative certification without requiring corrective actions.

Percent equals the number of projects that have an actual affirmative project performance certification (actual KA date without corrective action) occurring during the period of time being rated divided by the number of projects that completed the one year operational period (actual N7 date + 14 months) during the rating period of time X100.

Performance Expectation:

The target performance is that 100 percent of the projects will be affirmatively certified without corrective action. A level less than 100% would be acceptable if there are projects which are non-affirmatively certified and have submitted an acceptable corrective action report (CAR). The grantees submission of a CAR is expected within 30 days of the completion of the one year period, and must be accepted or rejected within 60 days of the end of the performance period. Regions should report to HQ any non-affirmatively certified projects without an acceptable CAR within 60 days of the end of the performance certification period. No project can complete the one year performance period without providing a certification; either affirmative or non-affirmative with an acceptable CAR.

1(c) % of projects requiring corrective actions that provide affirmative certification in accordance with the schedule contained in the Corrective Action Report.

Percent equals the number of projects that have an affirmative certification after remedial action occurring during the period of time being rated divided by the number of projects requiring corrective action and targeted to be certified (KA target date and code T1 or T2) during the rating period X100.

Performance Expectation:

The target performance is that 100% of the projects undergoing remedial actions will provide an affirmative certification in accordance with the schedule contained in the corrective action report and coded in GICS element KA.

MARINE AND ESTUARINE PROTECTION

QUANTITATIVE MEASURE

DEFINITION/PERFORMANCE EXPECTATION

MARINE DISCHARGE WAIVERS

1(e) # of final decisions.

It is expected that the Regions will have completed during FY 1987 the final decision-making process for all but five (5) of the initial and revised applications submitted under the provisions of §301(h).

1(f) # of permits issued
reflecting final decisions.

It is expected that the Regions will complete the issuance of permits reflecting final decisions in an expeditious manner during FY 1988. Final permits include final approvals which have 301(h) permits, and final denials and withdrawals which have valid NPDES permits

1(g) # of approved/successful

A successful monitoring program is one which specifies effective data quality objectives, is operated under appropriate QA/QC procedures to ensure the validity of data as a bases for accurate estimation of the environmental impacts of the permitted discharge, and provides for automated data analysis and for the reassessment of permit conditions to ensure maintenance of compliance with disposal criteria.

GROUND-WATER PROTECTION

QUANTITATIVE MEASURE

DEFINITION/PERFORMANCE EXPECTATION

STATE GROUND-WATER PROGRAM SUPPORT:

1(a-1) Number of grants awarded to States and Territories within 60 days after full allocation is available.

This measure identifies timely progress in the award of State ground-water grants. It is expected that the great majority of grants for FY 1987 will be awarded by the May 30 reporting date.

1(a-2) Number of State mid-year reviews and follow-up meetings and special workshops conducted with States.

This measure is designed to identify the progress of the Regions in providing program and technical support to the States in the area of ground-water protection. It is expected that all States will have had mid-year reviews before June 30.

2(a-1) How many strategies completed?

This measure identifies the number of States which have completed statewide ground-water protection strategies.

2(a-2) How many strategies are still under development?

This measure is designed to identify the progress of States in developing ground-water protection strategies. By the end of FY 1987 it is expected that all States will either have developed a strategy or have the process well underway. If not developed, the reasons for the delay should be identified and suggestions for resolving them presented.

EPA GROUND-WATER FOCUS AND COORDINATION:

1(a-1) What committees and/or sub-committees exist?

This measure is designed to track the number and type of committees or subcommittees devoted to ground-water issues. This should reflect standing and short-term committees or other ground-water work groups.

GROUND-WATER PROTECTION

QUANTITATIVE MEASURE

DEFINITION/PERFORMANCE EXPECTATION

1(a-2) The number of times the committee(s) meets.

This measure identifies the frequency of (sub)committee meetings that have occurred during the reporting period.

2(a-1) The number of programs participating whose plans include actions affecting ground water.

This measure is designed to identify the number of programs which have incorporated ground-water protection activities in their work plans. Reporting in the first quarter is intended to correspond to annual revisions of work-plans.

WATER QUALITY STANDARDS, PLANNING, AND ASSESSMENT

QUANTITATIVE MEASURES

DEFINITION/PERFORMANCE EXPECTATIONS

WATER QUALITY STANDARDS:

1(c) Track, by Region, against quarterly targets, the number of States which have been assessed by the Regions as implementing antidegradation according to EPA policies.

Antidegradation implementation is evidence of specific State actions with respect to accepting or prohibiting changes in water quality standards or water quality through application of the mandatory procedures involving economics, public and intergovernmental review.

Evidence of implementing antidegradation can be based upon the State applying the policy in renewing, reissuing, or modifying wasteload allocations, §404 or NPDES permits. Evidence of implementing the antidegradation policy is also a function of a State issuing a section 401 certification that reflects the policy correctly. Requires Regional audit of a sample from each State's NPDES, §404 and 303(d) WLA programs to verify compliance with antidegradation requirements. Expectation is one audit per State.

2(c) Track, by Region, against quarterly targets, the number of States which incorporate new or revised numerical or narrative criteria for toxic pollutants into State water quality standards which are approved by the Regional Office.

The number measured is States, not the number of pollutants; therefore, the total in any one fiscal year cannot exceed 57. Expectation is that in FY 87 20 States will have approved toxic criteria. Note: 2(b) covers actual numbers of toxic criteria adopted.

WATER QUALITY STANDARDS, PLANNING, AND ASSESSMENT

QUANTITATIVE MEASURES

DEFINITION/PERFORMANCE EXPECTATIONS

MONITORING:

- 1(a) Identify the number of stream miles, lake acres, estuary square miles, coastal miles, and Great Lake shore miles in each Region, the number assessed, and the number that are supporting/partially supporting/not supporting designated uses as reported in the FY86 305(b) Report and 205(j) updates. Identify, by nonpoint source category, the number of stream miles, lake acres, estuary square miles, coastal miles and Great Lake shore miles not fully supporting designated uses due to nonpoint source pollution.

This measure was developed as part of the STEP process. EPA's 305(b) report guidance describes how the assessments are to be done. The Office of Water will compile the data from State 305(b) reports and any 205(j) assessment updates.

WATER QUALITY STANDARDS, PLANNING, AND ASSESSMENT

QUANTITATIVE MEASURES

DEFINITION/PERFORMANCE EXPECTATIONS

MONITORING (Continued):

2(a) Identify the number and list of waterbodies that are water quality limited for: (1) toxics and nontoxics; (2) toxics only; and (3) nontoxics only, and the number and list of these waterbodies still needing water quality based controls; the number and list of waterbodies where available data show they are not water quality limited for toxics; and the number and list of waterbodies for which available data or analyses does not allow a decision.

This measure translates "stream miles" reported above into "numbers of waters" or areas and list of those waters that are water quality limited, and the number and list that still need water quality based controls. Waters are defined as either a free flowing stream reach as identified in EPA's River Reach File or an entire or identifiable portion of an open water such as a large lake, estuary or embayment. For developing the list of waters, where a River Reach number is not available, each water should be identified by name and latitude/longitude from 7 1/2 minute USGS topo maps. Geographically separated areas on large open waters (e.g., two different cities on Chesapeake Bay) should be counted as separate waters. "Water quality based controls" are the wasteload allocation for point sources and the load allocations for nonpoint sources needed to meet water quality standards. Water quality based controls are considered approved by EPA when they are reviewed and found acceptable to EPA under the Water Quality Management Regulation and section 303(d) of the Clean Water Act. "Toxic pollutants" are defined in section 502(13) of the Clean Water Act. As used here, toxics exclude biological oxygen demand, total suspended solids, fecal coliform, pH, or the effects of nutrients as they relate to eutrophication. The Office of Water will compile the list of waters from 305(b) reports, 106/205(j) work programs or 205(j) updates as part of the national water quality assessment report to Congress.

3(a) Track, by Region, against quarterly targets, the number and provide a list of waterbodies for which all known needed water quality based controls for toxics and nontoxics have been approved by EPA. Expectation is 20% or more of waters known to need controls as of beginning of FY87 will be targeted for completion.

This measures tracks progress in developing needed water quality-based controls to meet water quality standards in those waters with the greatest environmental significance. The number of waters needing water quality based controls will be updated annually to establish a total universe of which 20% or more will be targeted for completion during FY 87. See the definition of water quality based controls and toxic pollutants under measure 2(a). The Office of Water will compile the list of waters from 305(b) reports, 106/205(j) work programs (monitoring checklists) or 205(j) updates as part of the national water quality assessment report to Congress.

WATER QUALITY STANDARDS, PLANNING, AND ASSESSMENT

QUANTITATIVE MEASURES

DEFINITION/PERFORMANCE EXPECTATIONS

MONITORING (Continued):

4(a) Number of States that have implemented environmental indicators and procedures (consistent with national guidance) to be used in measuring water quality trends in specific waters of concern.

This measure tracks Regional progress in implementing environmental indicators consistent with national guidance for States in each EPA Region. The intent is to show demonstrable changes in water quality in those waters where designated uses are not being met or where designated uses are threatened if water quality based controls are not put in place. In establishing indicators, Regions and States should agree upon field monitoring and statistical analyses which will be used to measure trends in the specific pollutants and/or biological conditions which best characterize the water quality problems in those specific waters.

5(a) Number of State water quality monitoring programs evaluated and audit reports prepared.

This measure provides an indication of how many State monitoring programs are being reviewed in-depth by the Regional Offices with follow-up written reports prepared. Audit reports should be prepared by the Regional Office to evaluate the effectiveness of State water quality monitoring to deliver information EPA and State Administrators need to manage for environmental results. Regional responsibilities include the need to oversee State monitoring programs to ensure that the required data is collected and reported. The audit report for a State should be an assessment of all aspects of the State's water quality monitoring and wasteload allocation programs, and should include answers to the questions listed on page iv of EPA's October 1985 Guidance for State Water Monitoring and Wasteload Allocation Programs.

5(b) Number of States completing and submitting monitoring checklists as part of the annual WQM work programs.

Monitoring checklists provide a convenient tool for the States to describe planned monitoring and wasteload allocation activities in the budget year. These checklists are not intended to be detailed study plans; their purpose is to provide a simplified format for the State to outline the work planned for the year and are to be included as part of the State's annual 106/205(j) work programs. Monitoring checklists are discussed in the Guidance for State Water Monitoring and Wasteload Allocation Programs.

WATER QUALITY STANDARDS, PLANNING, AND ASSESSMENT

QUANTITATIVE MEASURES

DEFINITION/PERFORMANCE EXPECTATIONS

MONITORING (Continued):

5(c) Number of QA/QC work/project plans completed and the number of QA/QC program plans evaluated for currency.

This measure provides an indication of how well the States are implementing EPA guidance on developing QA/QC work/project plans as well as an indication of how closely the Regional Office reviews the plans. All EPA projects supported through grants, contracts, or other formalized agreements are required to have a QA/QC project plan.

6(a) Number of States reporting data as required by the Water Monitoring Policy, i.e., all data collected in conjunction with developing water quality based controls and appropriate assessment data to EPA in a timely manner (i.e., 60 days after the States have reviewed the data and found it acceptable).

This measure provides an indication of how many States are actually reporting water quality data to EPA as specified in EPA's Water Quality Monitoring Policy. It will also give an indication of how the Regional Offices are working with the States to ensure that the requested data is report to EPA. Expectation is that every State should be reporting this data. All data developed for water quality based controls must be entered into STORET.

PLANNING:

2(a) Identify for each State the type and number of major products completed in FY 86. For each type of major product indicate the number submitted to the Region for review and the number incorporated into WQM plans.

This measure provides an indication of how well States are completing tasks funded under EPA grant funds. Examples of major products include: WLA/TMDL, intensive survey, WQS revision, NPS program, toxic control strategy, priority waterbody list, monitoring strategy, permit, etc. We would like this information provided in a table with major products listed down the left and across the top 3 columns: # products completed; # products submitted to Region for review and # incorporated into the State WQM plan. We recognize that not all major products are incorporated into State WQM plans, but are interested in those activities which are incorporated into the plans.

WATER QUALITY STANDARDS, PLANNING, AND ASSESSMENT

QUANTITATIVE MEASURES

DEFINITION/PERFORMANCE EXPECTATIONS

NONPOINT SOURCE MANAGEMENT

- 1(a) Identify, by State, the actual waterbodies not meeting designated uses due to NPS. This measure is designed to track the progress of States in identifying clearly and specifically, by name or reach number, their waterbodies not meeting designated uses because of NPS contributions alone or in combination with point source discharges. This is an essential first step for States in targeting their priority waters and is information currently required for 305(b) reports.
- 1(b) Identify, by State, those groundwaters impacted by NPS. This is designed to track the progress of States in identifying specific groundwaters impacted by NPS and to increase the emphasis given by States and Regions to NPS problems affecting ground-water. It is not expected that all States will have detailed data but rather that this measure will encourage States and Regions to take the next steps toward improving their data bases. Ground-water maps included in the ASIWPCA NPS Report should serve as general first steps.
- 2(a) Track, by Region, against quarterly targets, the number of adequate NPS management programs consistent with WQM Regulation and EPA's Nonpoint Source Strategy developed by each State. This measure is designed to track the progress of States in developing and/or updating their NPS programs to make them consistent with WQM Regulations and EPA's Nonpoint Source Strategy. In keeping with WQM Regulations, each State should have a Statewide program for each NPS category (agriculture, urban, etc.) in which the State has identified significant water quality problems. A program is counted as "adequate" when it has: a) identified waters requiring nonpoint source controls; b) designated categories of nonpoint sources that contribute significant pollutant loadings to the water identified in (a); c) identified the best management practices which will be used to reduce pollutant loadings from each category of nonpoint sources identified in (b) and identified the probable impact of each such practice on groundwater; d) identified specific NPS programs to achieve implementation of the identified practices with appropriate schedules containing annual milestones; e) evaluated the adequacy of the State's NPS laws; and f) evaluated Federal NPS programs/projects for compliance with State NPS requirements and identified any inconsistencies. Furthermore, each NPS program should address the State's identified critical areas and provide a means for addressing both surface and ground-water impacts of identified NPS water quality problems.

WATER QUALITY STANDARDS, PLANNING, AND ASSESSMENT

QUANTITATIVE MEASURES

DEFINITION/PERFORMANCE EXPECTATIONS

NONPOINT SOURCE MANAGEMENT (Continued):

2(b) Identify, by State the number of NPS projects currently being implemented whose implementation plans have been approved by the Region.

This measure is designed to track the progress of Regions in ensuring that States implement during FY 1987 at least 25 new watershed-level NPS control projects whose implementation plans have been approved by the Region and whose progress to date is acceptable to the Region. Acceptable progress means that interim deadline/milestones established in the implementation plan for the project have been met or delays are judged legitimate by the Region and the States is taking concrete action(s) to resolve the problems involved and get back on schedule.

4(a) List by State NPS demonstration projects involving other Federal agencies and States. Give status of projects.

This measure is designed to track the progress of States and Regions in utilizing the programs, technical assistance and delivery systems of other Federal agencies such as the Soil Conservation Service, Extension Service or Forest Service to support State efforts to implement NPS control.

4(b) Number of State water quality agencies participating in annual review of ACP priorities.

This measure is designed to track one indicator of the degree to which States are availing themselves of existing opportunities to encourage increased support for NPS water quality objectives by other Federal agencies. Participation in annual reviews would consist of active review and comment upon ACP priorities designed to increase the priority of water quality objectives and related projects in ACP's annual workplan.

DRINKING WATER

QUANTITATIVE MEASURE

DEFINITION/PERFORMANCE EXPECTATION

PUBLIC WATER SYSTEM SUPERVISION:

1(a) Report, by a Regional total, the number, and percent, of Indian land CWSs which are SNCs of: (a) a microbiological, turbidity, or TTHM requirement, or (b) an organic other than TTHM, inorganic, or radiological requirement. (Report as 1 number for each of the 2 groups).

This measure will report the number and percent of Indian land community water systems (CWS), within each Region's jurisdiction, which meet the definition of a significant noncomplier (SNC). The measure will be reported only once during the fiscal year, for the second quarter report (4/1/87), and will reflect violations which occurred between 10/1/85 through 9/30/86. HQ will compile this information via the FRDS.

3(a) Report which States have written and implemented a compliance policy.

This measure will report the number of States which have developed compliance policies for dealing with systems which have violations of the NIPDWR. The information will be submitted by the Regions with their self evaluations.

3(C) Has each State negotiated a SNC target? Does the target reflect at least a 10% improvement over the previous year's actual results?

As States and Regions will negotiate FY '87 targets sometime during the Spring or Summer of 1986, the "previous year's actual results" could be taken from either of the following periods — 4/1/85 through 3/31/86 or 7/1/85 through 6/30/86. Regions and States should use the most current of these periods when negotiating the targets.

3(b) Report, by State, the number and percent of CWSs which are SNCs of a microbiological, turbidity, or TTHM requirement. (Report as 1 number per State.)

This measure, which will be tracked against a negotiated end-of-year target, will report the number and percent of CWSs which meet the definition of SNC for either a microbiological, turbidity, or TTHM requirement. Rather than reporting the numbers of systems separately for each of the three contaminant groups, Regions are to report the aggregate number of systems. In doing so, we will eliminate the double counting of systems which may be SNCs of more than 1 contaminant. The number of SNCs will be compiled five times during FY '87. In addition to the four standard quarterly reports, we will generate a list of SNCs on approximately 10/15/86 which will cover violations occurring during the period 4/1/85 through 3/31/86. These five reports will create a rolling, or dynamic base, of SNCs upon which we will track subsequent return to compliance and State enforcement activity.

DRINKING WATER

QUANTITATIVE MEASURE

DEFINITION/PERFORMANCE EXPECTATION

3(c) Report, by State, the number and percent of CWSs which are SNCs of an organic other than TTHM, an inorganic, or a radiological requirement. (Report as 1 number per State.)

This measure will report the number and percent of CWSs which are SNCs of either an organic other than TTHM, an inorganic, or radiological requirement. Rather than reporting the numbers of systems separately for each of the 3 contaminant groups, Regions are to report the aggregate number of systems. In doing so, we will eliminate the double counting of systems which may be SNCs of more than 1 contaminant group. The number of "chem/rad" SNCs will be compiled only once during FY '87 -- for the second quarter report (4/1/87). This will reflect surface water system violations during the period 10/1/85 through 9/30/86 and ground water system violations during the period 10/1/83 through 9/30/86. This compilation of chem/rad SNCs will create a "fixed base" upon which we will track (for the third and fourth quarter reports), subsequent return to compliance and State enforcement activity. As this is the first year we are defining chem/rad violators (other than TTHMs) as SNCs, we anticipate encountering some definitional and data management obstacles. We request Regional assistance in resolving these problems.

3(d) Report, by State, the change in the number of SNCs from the previous quarter. (Applies to microbiology, turbidity, and TTHM SNCs. Report as 1 number per State.)

This measure will compare the number of CWSs which are SNCs because of a microbiological, turbidity, or TTHM violation in the current quarterly report to the number in the previous quarterly report. The first quarter report (4/1/87) will be compared to the number of SNCs generated on 10/15/86. The intent is to indicate whether there is a general trend toward improvement or degradation. The comparison will be conducted for each of the 4 quarterly reports.

3(e) Report, by State, the populations served by CWSs which are SNCs of a microbiological, turbidity, TTHM, organic other than TTHM, inorganic, or radiological requirement. Report populations in two groups: a) microbiology, turbidity, and TTHM SNCs, and b) organics other than TTHM, inorganics, and radiological SNCs.

This measure will provide the aggregate populations served by CWSs which were SNCs as a result of violations occurring during the period 10/1/85 through 9/30/86. It will identify populations in two groups -- those served by a system which was an SNC because of microbiological, turbidity, or TTHM violations, and those served by a system which was an SNC because of an organic other than TTHM, inorganic, or radiological violation. The populations will be reported only once -- for the second quarter report.

DRINKING WATER

QUANTITATIVE MEASURE

3(f) Report, by State, the number of CWSs which were SNCs of a microbiological, turbidity, or TTHM requirement in the previous quarter, which have since returned to compliance.

3(g) Report, by State, the number of CWSs which were SNCs of a microbiological, turbidity, or TTHM requirement in the previous quarter, against which the State has taken a formal enforcement action.

DEFINITION/PERFORMANCE EXPECTATION

This measure will report the number of CWSs, which were SNCs in the previous quarterly report because of microbiological, turbidity, or TTHM violations, which have since "returned to compliance". For the purposes of this measure "returned to compliance" is defined as having no additional violation (either MCL or monitoring), of the same contaminant which caused the system to become an SNC, during the subsequent six months. As an example, the first quarter report (1/1/87) will provide the number of SNCs, which were contained in the 10/15/86 report (compliance period 4/1/85 through 3/31/86) which had no MCL or monitoring violation of the contaminant which caused it to be an SNC during the subsequent six months (4/1/86 through 9/30/86). Regions should compile the data required for each quarterly report several weeks in advance so that it will be received by ODW on the following schedule: first quarter report - 12/15/86, second quarter report - 3/15/87, third quarter report - 6/15/87, and fourth quarter report - 9/15/87.

This measure will report the number of CWSs, which were SNCs in the previous quarterly report because of microbiological, turbidity, or TTHM violations, against which the State took a formal enforcement action. This measure will attempt to measure the timeliness and appropriateness of State actions against the systems classed as SNCs. To address timeliness, we will include actions which occurred within six months following the time that the systems became a SNC. As an example, the first quarter report (1/1/87) will provide the number of SNCs, which were contained in the 10/15/86 report (compliance period 4/1/85 through 3/31/86) against which the State took a formal enforcement action during the subsequent six months (4/1/86 through 9/30/86). To address appropriateness, we will define a formal enforcement action as an action which fits the definition of any of the following FRDS legal status codes: G, H, J, K, L, N, P, Q, R, S, T, U, V, W, 3, 4, or 5. Regions should compile the data required for each quarterly report several weeks in advance so that it will be received by ODW on the following schedule: first quarter report - 12/15/86, second quarter report - 3/15/87, third quarter report - 6/15/87, and fourth quarter report - 9/15/87.

DRINKING WATER

QUANTITATIVE MEASURE

DEFINITION/PERFORMANCE EXPECTATION

3(h) Report, by State, the number of CWSs which were SNCs of a microbiological, turbidity, or TTHM requirement in the previous quarter, which are currently operating under, and adhering to a formal compliance schedule.

This measure will report the number of CWSs, which were SNCs in the previous quarterly report because of microbiological, turbidity, or TTHM violations, which are currently operating under and adhering to a formal compliance schedule. For the purposes of this measure, a formal compliance schedule is defined as one which prescribes a path toward eventual compliance and is legally enforceable. As an example, the first quarter report (1/1/87) will provide the number of SNCs, which were contained in the 10/15/86 report (compliance period 4/1/85 through 3/31/86) which were operating under, and were adhering to a formal compliance schedule during the 4/1/85 - 3/31/86 compliance period or have been placed on such a schedule during the six months following that period (4/1/86 through 9/30/86). Regions should compile the data required for each quarterly report several weeks in advance so that it will be received by ODW on the following schedule: first quarter report - 12/15/86, second quarter report - 3/15/87, third quarter report - 6/15/87, and fourth quarter report - 9/15/87.

3(i) Exception Report:
Identify, by name and PWS ID number, each CWS which was an SNC of a microbiological, turbidity, or TTHM requirement in the previous quarter, which has not returned to compliance, has not had a formal enforcement action taken against it, or is not operating under and adhering to a formal compliance schedule.

This measure will report names and PWS ID numbers of those systems which are not included in the numbers comprising the previous 3 measures [4(f), 4(g), and 4(h)]. It is intended to identify those SNCs which continue to have violations in the subsequent quarter, and which are neither on a schedule outlining how they will regain compliance nor have had any formal enforcement action by the State to stimulate return to compliance. As an example, the first quarter report (1/1/87) will provide the names and IDs of CWSs which were contained in the 10/15/86 report (compliance period 4/1/85 through 3/31/86), which had neither returned to compliance, had a formal enforcement action taken against them by the State, nor were operating under and adhering to a formal enforcement schedule during the subsequent six months (4/1/86 through 9/30/86). Regions should compile the lists of CWSs for each quarterly exception report several weeks in advance so it will be received by ODW on the following schedule: first quarter report - 12/15/86, second quarter report - 3/15/87, third quarter report - 6/15/87, and fourth quarter report - 9/15/87.

DRINKING WATER

QUANTITATIVE MEASURE

3(j) Report, by State, the number of CWSS which were SNCs of an organic other than TTHM, inorganic, or radiological requirement as of 9/30/86, which have since returned to compliance.

3(k) Report, by State, the number of CWSS which were SNCs of an organic other than TTHM, inorganic, or radiological requirement as of 9/30/86, against which the State has taken a formal enforcement action.

DEFINITION/PERFORMANCE EXPECTATION

This measure will report the number of CWSSs, which were SNCs in the second quarter report because of an organic other than TTHM, inorganic, or radiological violation, which have since "returned to compliance". For the purposes of this measure "returned to compliance" is defined as follows: a) organic or inorganic - whenever the MCL is not exceeded in either of two consecutive samples, b) gross alpha, radium 226 and 228 - whenever the annual average concentration no longer longer exceeds the MCL, and c) man-made radioactivity - whenever a monthly sample no longer exceeds the MCL. The third quarter report will include the systems in the second quarter base which had returned to compliance by 3/31/87. The fourth quarter report will include the systems in the same base which had returned to compliance by 6/30/87. Regions should compile the number of systems for each quarterly report several weeks in advance so it will be received by ODW on the following schedule: third quarter report - 6/15/87, and fourth quarter report - 9/15/87.

This measure will report the number of CWSSs, which were SNCs in the second quarter report because of an organic other than TTHM, inorganic, or radiological violation, against which the State has taken a formal enforcement action. This report is intended to measure the level of State enforcement activity against chem/rad MCL violations. While it should provide some indication of the appropriateness of State follow-up, it will not provide any indication of the timeliness of state action. A formal enforcement action is defined as one which fits the definition of any of the following FRDS legal status codes: G, H, J, K, L, N, P, Q, R, S, T, U, V, W, 3, 4, or 5. The third quarter report will include the systems in the second quarter base against which the State had taken a formal enforcement action between the time the system became a SNC and 3/31/87. The fourth quarter report will include the systems the same base against which the State had taken a formal enforcement action between the time the system became a SNC and 6/30/87. Regions should compile the number of systems for each quarterly report several weeks in advance so it will be received by ODW on the following schedule: third quarter report - 6/15/87, and fourth quarter report - 9/15/87.

DRINKING WATER

QUANTITATIVE MEASURE

3(1) Report, by State, the number of CWSs which were SNCs of an organic other than TTHM, inorganic, or radiological requirement as of 9/30/86, which are currently operating under, and adhering to a formal compliance schedule.

3(m) Exception Report:
Identify, by name and PWS ID number, each CWS which was a SNCs of an organic other than TTHM, inorganic, or radiological requirement as of 9/30/86, which has not returned to compliance, has not had a formal enforcement action taken against it, or is not operating under and adhering to a formal compliance schedule.

3(n) Report the number of CWSs which have violated a requirement prescribed in a formal compliance schedule, during the last 12 months.

DEFINITION/PERFORMANCE EXPECTATION

This measure will report the number of CWSs, which were SNCs in the second quarter report because of an organic other than TTHM, inorganic, or radiological violation, which are currently operating under and adhering to a formal compliance schedule. For the purposes of this measure, a formal compliance schedule is defined as one which prescribes a path toward eventual compliance and is legally enforceable. The third quarter report will include the CWSs in the second quarter base which were on, and were adhering to a formal schedule as of 3/31/87. The fourth quarter report will include the systems in the same base which were on, and were adhering to a formal schedule as of 6/30/87. Regions should compile the number of systems for each quarterly report several weeks in advance so it will be received by ODW on the following schedule: third quarter report - 6/15/87, and fourth quarter report - 9/15/87.

This measure will report the names and PWS ID numbers of those CWSs in the second quarter SNC base which are not included in the number comprising the previous 3 measures [4(j), 4(k), and 4(l)]. It is intended to identify which systems are SNCs and have neither corrected the violation, are on a schedule which will result in correction of the violation, nor have been the recipient of a formal enforcement action by the State to stimulate compliance. The third quarter report will include those systems which were in the second quarter base which had not been adequately addressed as of 3/31/87. The fourth quarter report will include those systems which were in the second quarter base which had not been adequately addressed by 6/30/87. Regions should compile the lists of CWSs for the two quarterly reports several weeks in advance so it will be received by ODW on the following schedule: third quarter report - 6/15/87, and fourth quarter report - 9/15/87.

This measure will report the number of all CWSs (not just SNCs), which were operating under a formal compliance schedule during FY '85 (10/1/85 through 9/30/86) and had violated a requirement of that schedule during the same period. The measure is intended to show roughly how many systems do not adhere to a formal compliance schedule. This information will be collected only once during the year, for the second quarter report. Regions should submit the information with their self evaluations.

DRINKING WATER

QUANTITATIVE MEASURE

DEFINITION/PERFORMANCE EXPECTATION

3(o) Report which States have signed an enforcement agreement for FY '87.

This measure will identify which States have negotiated, and agreed to, an enforcement agreement for FY '87. This information will be submitted by the Regions with their self evaluations.

3(p) Report which States have documented their approach to "timely and appropriate" enforcement action.

This measure will report the number of States which have a written description of what constitutes "timely and appropriate" enforcement action for their State drinking water program. This information will be submitted by the Regions with their self evaluations.

3(q) Report, by State, the number of civil cases referred to the State AGs, and criminal cases filed in court, against any CWS in primacy States, during the quarter.

This measure will identify the level of effort on litigations being undertaken by the State Drinking Water Agencies. The measure is intended to include cases against any system (regardless of whether EPA classifies it as a SNC or whether it was taken to correct a violation of a Federal requirement). The information is to be reported by the Regions for each of the four quarterly reports. (Note that the data will be lagged two quarters: e.g. the first quarter report 1/1/87 will include the litigation activity occurring during the period 4/1/86 through 6/30/86, the second quarter report (4/1/87) will include the activity occurring during the period 7/1/86 through 9/30/86, etc.

3(r) Report the numbers of §1414 administrative procedures completed, the number of §1431 AOs issued, and the number of judicial cases referred to EPA HQ or DOJ against CWSs in primacy States, during the last 12 months. (Report the 3 categories separately.)

This measure will identify the level of Federal enforcement activity that was undertaken by the Regions, against primacy States, during the period 10/1/85 through 9/30/86. The information will be collected only once during the year, for the second quarter report (4/1/87). The information will be submitted by the Regions with their self evaluations.

DRINKING WATER

QUANTITATIVE MEASURE

3(s) Report the number of §1431 AOs issued and the number of judicial cases referred to EPA HQ or DOJ against CWSs in non-primacy States or on Indian lands, during the last 12 months. (Report AOs and judicial cases separately.)

3(t) Report by State (and by a Regional total for Indian lands) the number of CWSs which have received a routine sanitary survey.

3(u) Report on which States the Region has initiated or completed a data verification during the last 12 months.

3(v) How quickly after the end of each quarter does each State believe it can provide accurate compliance data to EPA?

DEFINITION/PERFORMANCE EXPECTATION

This measure will identify the level of Federal enforcement activity that was undertaken by the Regions, against nonprimacy States and Indian lands, during the period 10/1/85 through 9/30/86. The information will be collected only once during the year, for the second quarter report (4/1/87). The information will be submitted by the Regions with their self evaluations.

This measure, which will be tracked against negotiated targets, will indicate how many CWSs are being routinely surveyed (by the States which have primacy, and by the Region for nonprimacy States and on Indian lands) as a preventative tool to protect public health. A sanitary survey is defined in both 40 CFR 141 and 40 CFR 142. The numbers of surveys will be collected for each of the 4 quarterly reports. Each will be lagged two quarters, e.g. the first quarter report (1/1/87) will include those CWSs receiving a survey during the period 4/1/86 through 6/30/86, the second quarter report (4/1/87) will include those systems receiving a survey during the period 7/1/86 through 9/30/86, etc. We will use the targets negotiated during FY '86 for the first and second quarter FY '87 reports. Regions should compile the data several weeks in advance so it will be received by ODW on the following schedule: first quarter - 12/15/86, second quarter report - 3/15/87, third quarter report - 6/15/87, and fourth quarter report - 9/15/87.

This measure will report the number of States on which the Regions initiated a new, or completed a previously initiated, data verification effort during the period 1/1/86 through the date that the Region completes its self evaluation. This information will be collected only once during the year, for the second quarter report (4/1/87). It will be submitted by the Regions with their self evaluation.

This measure is intended to identify how long each State needs to compile and submit accurate compliance data for input into FRDS, and will give ODW a feel for the feasibility of moving toward a one quarter data lag. The information will be collected only once during the year, for the second quarter report (4/1/87). It will be submitted by the Regions with their self evaluation.

DRINKING WATER

QUANTITATIVE MEASURE

DEFINITION/PERFORMANCE EXPECTATION

3(w) Report which States have applied some type of categorization to their non-community systems.

This measure is intended to identify which States make some distinction between the various types of systems included in the NCWS classification. A brief explanation of the type of categorization should be provided for those States which are identified as making some distinction among NCWSs. This information will be collected only once during the year, for the second quarter report. Regions should submit the information with their self evaluations.

3(x) Report, by State, the number and percent of Federal facility CWSs which are SNCs of:
(a) a microbiological, turbidity, or TTHM requirement, or (b) an organic other than TTHM, inorganic or radiological requirement. (Report as 1 number for each of the 2 groups.)

This measure will report the number and percent of Federal facility CWSs, within each State, which meet the definition of a SNC. The measure will be reported only once during the year, for the second quarter report (4/1/87), and will reflect violations which occurred between 10/1/85 through 9/30/86. ODW will compile this information via the FRDS.

PROPOSED* DEFINITION OF SIGNIFICANT NONCOMPLIER (SNC) FOR THE PWSS PROGRAM

A significant noncomplier is a community water system which meets any of the following conditions:

- violates the microbiological MCL for 4 or more months during any 12 consecutive month period, or
- violates the turbidity MCL for 4 or more months during any 12 consecutive month period, or
- violates the TTHM MCL for 2 or more compliance periods during any 12 consecutive month period, or
- violates any combination of a microbiological MCL or monitoring requirement which totals 12 months of violation during any consecutive 12 month period, or
- violates any combination of a turbidity MCL or monitoring requirement which totals 12 months of violation during any consecutive 12 month period, or
- violates any combination of a TTHM MCL or monitoring requirement for a total of 2 or more compliance periods during any consecutive 12 month period.
- violates any organic chemical (other than TTHM) MCL requirement, or
- violates any inorganic chemical MCL requirement, or
- violates any radiological MCL requirement.

* This definition may change pending outcome of 3 State/EPA seminars to be held during April 1986.

DRINKING WATER

QUANTITATIVE MEASURE

DEFINITION/PERFORMANCE EXPECTATION

UNDERGROUND INJECTION CONTROL PROGRAM:

1 (b) Track, by well class, progress against targets for UIC permit determinations made by primacy States for new and existing facilities for (1) Class I wells, and (2) Class II, III, and V wells (if applicable).

Identify, by State, the total number of new and existing permit determination (issued, denied or applications withdrawn after technical evaluation) for (1) Class I wells and (2) Classes II, III, and V (if applicable) in FY 1987. Count permit determinations made only for those applications with the final document signed by the State Director in that reporting period. Count each area permit as one permit, and also report the total number of wells that the area permits covered for credit. When reviewing permit applications, the priority established as follows:

1. new Class II wells
2. existing Class I wells
3. existing Class III wells
4. new Class I and III wells
5. existing Class II SWD wells

1 (c) Track, against targets, the # of existing Class II well record file reviews completed and # of deficient wells found.

Identify, by State, the # of Class II well file reviews that the State has completed in accordance with the 1425 program guidance. For multiple wells in a single field under an area permit or project, report the total # of wells that are covered in the same well record file. Also report the # of wells that were found deficient as the result of the file reviews and have had appropriate follow-up action initiated. A file review may only be counted as complete if (a) the file is found to meet regulatory requirements or (b) it is found deficient and appropriate follow-up action has been initiated. Appropriate follow-up may include a request for more information, schedule a MIT or call in for a permit.

1 (d) Track, against targets, the # of Class II wells for which mechanical integrity tests were performed (in primacy States) and # of wells which lack mechanical integrity.

Identify, by State, the total # of wells with Mechanical Integrity Tests (MIT) performed by the operators and verified by the State director. Also report the # of wells that were found to lack MIT.

DRINKING WATER

QUANTITATIVE MEASURE

1 (e) Report the % of Class II wells for which mechanical integrity tests were witnessed.

1 (f) Report the # of field inspections conducted.

1 (h) Identify by State, by well class the number of wells (1) added to the QNCR during the reporting quarter, (2) the number of wells that (a) were returned to compliance, (b) had formal enforcement action taken, or (c) were placed on a compliance schedule and (3) number reported in SNC for two or more reporting quarters.

1 (i) Identify by State, by name and UIC ID number, major wells and Class II, III and V wells reported in SNC and appearing on two or more consecutive QNCRs without being returned to compliance or addressed with a formal enforcement action.

DEFINITION/PERFORMANCE EXPECTATION

Identify, by State, the total # of wells with mechanical integrity tests performed by the operators and witnessed by the State field inspectors. A minimum of 25% of the MITs should be witnessed.

Identify, by State, the # of injection wells inspected, including all routine, periodic, complaint investigation or follow-up inspections performed to determine compliance with permit or rule requirements or other program related activities.

This is a numeric report which summarizes the total number of wells reported in significant non-compliance during the reporting period broken down into those newly identified violators and those that have had actions taken to return them to compliance.

A formal enforcement action is defined as any action which: (i) requires some action to achieve compliance; (ii) specifies a time by which action is to be taken; (iii) contains consequences for non-compliance that are independently enforceable without having to prove the underlying violation, and (iv) subjects the person to adverse legal consequences for non-compliance. (Note: pipeline severance meets this definition but a notice of violation does not.)

This is the name specific exceptions list report which identifies those well owners and/or operators that have remained in significant non-compliance for two or more consecutive reporting quarters and have not been returned to compliance or have had a formal enforcement action taken against them. Major wells are defined as: A Class I or Class IV well.

Definition of SNC - The term "significant non-compliance" means: (a) violations as described in Section 144.3(a) and on EPA Form 7520-4 (6-83) by the owner/operator of a Class I or a Class IV well, (b) the following violations by the owner/operator of a Class II, III or V well: (1) any unauthorized emplacement of fluids (where formal authorization is required); (2) well operation without mechanical integrity which causes the movement of fluid outside the authorized zone of injection if such movement may have the potential for endangering an USDW judged according to the following criteria: (a) the characteristics of the fluid released; (b) the quantity of fluid released; and the relationship of the point of release to any USDW. Potential endangerment exists in cases where: (i) the release occurs above or into an USDW, and (ii) the release occurs below an USDW but the hydrogeology is such that fluids may be forced upward into the USDW. (3) well operation at an injection pressure that exceeds the permitted or authorized injection pressure and causes the

DRINKING WATER

QUANTITATIVE MEASURE

DEFINITION/PERFORMANCE EXPECTATION

movement of fluid outside the authorized zone of injection if such movement may have the potential for endangering an USDW. Potential endangerment exists: (a) if the pressure in a tubingless well exceeds the MIT test pressure of the casing; (b) if the pressure exceeds the fracture pressure of the confining zone and the zone immediately above the confining zone is an USDW; (4) failure to properly plug and abandon an injection well in any manner other than authorized; (5) any violation of a formal enforcement action, including an administrative or judicial order, consent agreement or judgement or equivalent State action; (6) the knowing submission or use of any false information in a permit application, periodic report or special request for information about a well; and (7) any other violation which the Director considers to be significant.

This is the name specific list that identifies those in significant noncompliance on the exceptions list that have returned to compliance or that have been addressed with a formal enforcement action.

1 (j) Identify by State, by name and UIC ID number the total number of major wells and Class II, III and IV wells listed in the exceptions list universe for the previous quarter which (1) have returned to compliance or (2) have not yet returned to compliance but have been addressed with a formal enforcement action.

2 (b) Track, by Class, against targets, the # of permit determinations made to the new and existing facilities for (1) Class I wells and (2) Class II, III, and V wells (if applicable by EPA during FY 1987).

Same as 1(b). In addition, when making FY 1987 commitments, Regions should report the total estimated number of permits to be determined in FY 1987 including new and existing permits. These numbers will be used as the base for resource allocations in the C220 and C306 Workload Model.

UNDERGROUND INJECTION CONTROL PROGRAM

<u>QUANTITATIVE MEASURE</u>	<u>DEFINITION/PERFORMANCE EXPECTATION</u>
2 (c) Class II well record files reviewed	Same as 1 (c).
2 (d) Mechanical Integrity Test performed	Same as 1 (d).
2 (e) MIT Witnessed	Same as 1 (e).
2 (f) Field Inspection conducted	Same as 1 (f).
2 (h) SNC Summary Report	Same as 1 (h).
2 (i) Exceptions List Report	Same as 1 (i).
2 (j) Exceptions List Follow-up	Same as 1 (j).

QUANTITATIVE MEASURES

DEFINITION/PERFORMANCE EXPECTATION

PERMITS:

1(a)/(b) # of permits reissued to major industrial facilities during fiscal year (NPDES States, non-NPDES States).

1(a)/(b) Total number of major (using MRAT system) industrial permits with issuance dates (i.e., date signed by permit authority) during FY 87. Status as of the close of the quarter will be taken from PCS on the 10th of the month following the end of a quarter. This will be compared to the total number of major (using MRAT system) industry permits with expiration dates before October 1, 1987 according to PCS data on October 10, 1986 (i.e., the number of major industrial permits that have or will expire by the end of FY 87).

Performance Expectation: The goal of the State and EPA NPDES Permit Programs is to have reissued major permits in effect on the date the prior permit expires. Permit applications are due and should be acted upon during the last six months of a permit's term. Most States and Regions, should be able to reissue 100% of their expiring major permits except where unusual, complex and difficult issues prevent timely permit reissuance.

1(c)/(d) # of permits reissued to major municipal facilities during fiscal year (NPDES States, non-NPDES States).

1(c)/(d) Total number of major municipal permits with issuance dates (i.e., date signed by permit authority) during FY 87. Status as of the close of the quarter will be taken from PCS on the 10th of the month following the end of a quarter. This will be compared to the total number of major municipal permits with expiration dates before October 1, 1987, according to PCS data on October 10, 1986 (i.e., the number of major municipal permits that have or will expire by the end of FY 87).

Performance Expectation: The goal of the State and EPA NPDES Permits Programs is to have reissued major permits in effect on the date the prior permit expires. Permit applications are due and should be acted upon during the last six months of a permit's term. Most States and Regions, once they have eliminate the backlogs that have accumulated over the past few years, should be able to reissue 100% of their expiring major permits except where unusual, complex and difficult issues prevent timely permit reissuance.

WATER ENFORCEMENT AND PERMITS

QUANTITATIVE MEASURES

DEFINITION/PERFORMANCE EXPECTATION

PERMITS:

1(e)/(f) number of planned revisions
(h)/(i) of major industrial/municipal
permits (NPDES States, non-
NPDES States)

1(e)/(f) Planned Revisions to Permits: For purposes of identifying
(h)/(i) and tracking revisions to major permits, only major industrial
and municipal permits modified under provisions of the NPDES
Regulations where public notice is required (40 CFR 122.62) are
to be considered. Minor modifications (40 CFR 122.63), where
public notice is not required, are not being measured. The number
of revisions identified for FY '87 (targets) and those tracked
are those the Region/State can predict will occur during the
fiscal year. They include pending requests for modification
and any other modifications the Region/State plans to do, such as
permits with reopener clauses that specifically open the permit for
modification or are triggered by other planned events during the
fiscal year (e.g., promulgation of 307(a) standard, a variance
decision, biomonitoring results, etc.).

Performance Expectation: Planned revisions to major permits are
expected to be, in most cases, modifications which will achieve
or lead directly to increased environmental protection. The
environmental benefits from this activity rank with the reissuance
of major permits which incorporate new mandated controls. Ac-
cordingly, all planned revisions identified for FY 87 are expected
to be completed during FY 87.

1(g)/(j) number of other major indus-
trial/municipal permits modi-
fied (NPDES States, non-NPDES
States)

1(g)/(h) Other Permit Modifications: For purposes of tracking all modifica-
tions to major industrial and municipal permits, these measures
will track all modifications to major industrial and municipal
permits other than those included in measures 1(e), (f), (h),
and (i) above. Only major permits modified under provisions
of the NPDES Regulations where public notice is required
(40 CFR 122.62) are to be considered. Minor modifications
(40 CFR 122.63) where public notice is not required, are not
being measured.

WATER ENFORCEMENT AND PERMITS

QUANTITATIVE MEASURES

DEFINITION/PERFORMANCE EXPECTATION

PERMITS:

1(k)/(1) # of permits reissued to significant minor industrial/municipal facilities during fiscal year (NPDES States, non-NPDES States)

1(k)/(1) Total number of significant minor industrial/municipal permits with issuance dates (i.e., date signed by permit authority) during FY 87. The Region is to report separately for POTWs and industry (industrial number may include other non-municipal dischargers) in each NPDES State and non-NPDES State.

Significant minor dischargers are generally distinguished by their environmental impact when compared to other minor dischargers. Minor dischargers may be more important (significant) because they (1) have a high potential for degrading water quality, (2) impact a high priority waterbody, (3) are in a category of dischargers identified as discharging significant toxics to surface waters (e.g., BAT guideline industries), (4) are POTWs funded under PL 92-500 and/or required to develop pretreatment programs, or (5) are POTWs needing permit decisions under the National Municipal Policy or to resolve delays in grant funding decisions. The "National NPDES Minor Permit Issuance Strategy," January 1986, provides guidance on identifying significant minors and establishing priorities for minor permit issuance.

Performance Expectation: All minor permits will be issued or reissued in the next five years with priority given generally to issuance of minor permits for controlling toxic discharges and/or impacts on water quality. It is presumed that permits to all BAT guideline industries will be issued/reissued during the first two years; i.e., by no later than September 30, 1988. Only issued permits designated as "significant minors" will be credited against this commitment.

WATER ENFORCEMENT AND PERMITS

QUANTITATIVE MEASURES

DEFINITION/PERFORMANCE EXPECTATION

PERMITS:

1(m) Update, if necessary, strategy for each State for the issuance of permits to minor dischargers (NPDES States, non-NPDES States)

1(m) The strategy for minor permit issuance is to be updated, if necessary, for each State by the permitting authority based on the National Minor Permit Issuance Strategy (January 1986). The strategy should consist of two specific elements. It should describe individual priority ranking factors used to divide each State's universe of minor permits into priority groups. The strategies should distinguish industrial and municipal permits since there may be some differences in priority associated with these dischargers. Also, the strategy should describe implementation plans including methods used for issuance such as general permits, model permits, etc., and the resources assigned to this activity. These strategies are to be used in identifying the minor permits considered to be "significant". If a Region or State cannot issue all BAT guidance permits by the end of FY 1988 because of an unusually large workload of these minor dischargers, the strategy must explain why not (e.g., need to reduce majors backlog, higher water quality priority minors, large numbers of BAT industries such as coal mines, etc.) and provide the earliest feasible date when these permits will be issued. By the beginning of FY 87, significant minors must be designated in PCS in accordance with instructions to be provided by OWEP in Spring 1986. The Region is to make these PCS entries for NPDES States not using PCS. The significant minor designations may be modified from time to time by the permitting authority as appropriate.

2(a) Identify permits reissued or modified in FY 87 that include water quality-based toxic limits or whole effluent toxicity testing (NPDES States, non-NPDES States)

2(a) A list, by name with the Permit Number, is to be prepared and submitted to Headquarters which includes permits reissued or modified that contain water quality-based toxics limits or whole effluent toxicity testing. The list should include, separately, municipal and industrial permits. A list is to be prepared covering the first two quarters of FY 87 and submitted at the end of the second quarter, and a list covering the last two quarters of FY 87 is to be submitted at the end of the fourth quarter.

WATER ENFORCEMENT AND PERMITS

QUANTITATIVE MEASURES

DEFINITION/PERFORMANCE EXPECTATION

PERMITS:

- 5(a)-(e) # of evidentiary hearings pending/resolved that were pending before, or requested during, FY '87 (NPDES States, non-NPDES States):
- Municipal; and
 - Non-Municipal.

Of all evidentiary hearings resolved identify #:

- denied
- settled without hearing
- decided after hearing
- withdrawn

- 6(a)/(b) # of direct discharger variance requests pending at beginning of FY 87; # denied and # forwarded to Headquarters with a recommendation in FY 87 (NPDES States, non-NPDES States):
- FDF
 - 301(c)
 - 301(g)
 - 301(k)
 - 316(a)
 - 316(b)

- 5(a)-(e) Evidentiary Hearing: The term "evidentiary hearing is meant to encompass not only EPA issued permit appeals pursuant to 40 CFR 124 but also any NPDES State issued permit appeals (whether adjudicatory or non-adjudicatory in nature) that result in stays of contested permit conditions.

- 6(a)/(b) The Region is to identify by 10/31/86 the number of variance (and deadline extension) requests from direct dischargers by type (FDF, 301(c), etc.) that are pending at the beginning of FY 87. Commitments are to be made to eliminate that carryover by acting on all those pending requests during FY 87. Such action consists of either denial or referral to Headquarters with a Regional recommendation. The Region is to report quarterly the cumulative number of denials during FY 87 and the cumulative number of recommendations forwarded to Headquarters during FY 87, by type of variance in each NPDES State and non-NPDES State.

WATER ENFORCEMENT AND PERMITS

QUANTITATIVE MEASURES

PERMITS:

6(c)/(d) # of direct discharger
variances requested during
FY 87; # denied and #
forwarded to Headquarters
with a recommendation in
FY 87

DEFINITION/PERFORMANCE EXPECTATION

6(c)/(d) The Region is to report each quarter, State-by-State, the number of each type of new variance requests received from direct dischargers in FY 87 and, of those, the number acted upon. The quarterly report of those new variance requests acted upon is to provide the cumulative number of denials and the cumulative number of recommendations forwarded to Headquarters during FY 87 by type of variance in each NPDES and non-NPDES State.

WATER ENFORCEMENT AND PERMITS

QUANTITATIVE MEASURE

DEFINITION/PERFORMANCE EXPECTATION

ENFORCEMENT:

1(a)-(b) MOVING BASE

1(a)-(b) MOVING BASE measures compliance levels of all major permittees each quarter, and of minor P.L.92-500 permittees semi-annually.

A facility is considered to be on final effluent limits when the permittee has completed all necessary construction (including all start-up or shakedown period specified in the permit or enforcement action) to achieve the ultimate effluent limitation in the permit reflecting secondary treatment, BPT, BAT, or more stringent limitations, such as State required limitations or water quality based limitations, or limitations established by a variance or a waiver. A facility on a "short-term" schedule (one year or less) for corrections such as composite correction plans, where compliance can be achieved through improved operation and maintenance (rather than construction) is considered to be on final effluent limits. A facility is considered to be in significant noncompliance with final effluent limits when it has exceeded the criteria for significant noncompliance with its final effluent limits, compliance schedule or reporting requirements and has not been resolved. (Refer to the QNCR Guidance for a more detailed discussion of SNC and SNC resolution). Further discussion of significant noncompliance and its resolution can be found in the Guidance for Preparation of Quarterly and Semi-Annual Noncompliance Reports(per section 123.45, code of Federal Regulations, Title 40).

A facility is considered to be "not on final effluent limits" if the permittee does not meet the definition of a "facility on final effluent limits" or when a permit, court order/consent order or an Administrative Order require construction such as for a new plant, an addition to an existing plant or a tie-in to another facility. A facility is considered to be in significant noncompliance with its construction schedule when it has exceeded the criteria for significant noncompliance with its construction schedule or schedule reporting requirements and has not been resolved. A facility is considered to be in significant noncompliance with its interim effluent limits when it has exceeded the criteria for significant noncompliance with its interim effluent limits or measurement

WATER ENFORCEMENT AND PERMITS

QUANTITATIVE MEASURE

DEFINITION/PERFORMANCE EXPECTATION

ENFORCEMENT:

1(a)-(b) MOVING BASE
(con't)

1(a)-(b) reporting requirements and has not been resolved. A facility which is in significant noncompliance with both its construction schedule and interim limits should be considered as in significant noncompliance with its schedule only.

Major P.L.92-500 permittees are tracked as part of the major municipalities as well as being tracked separately.

WATER ENFORCEMENT AND PERMITS

QUANTITATIVE MEASURE

DEFINITION/PERFORMANCE EXPECTATION

ENFORCEMENT:

2(a)-(b) NATIONAL MUNICIPAL POLICY

2(a)-(b) Compliance schedules are expected to be established on the priority basis established in the National Municipal Policy and Guidance. The goal for FY 1987 is to establish enforceable schedules for all remaining municipalities covered by the Policy.

Referrals will count toward the commitment; however, two numbers will be reported: actual permittees on placed enforceable schedules and referrals not yet concluded (reported as a parenthical). These numbers should be mutually exclusive.

Noncompliance with schedules is 90 days past the schedule due date. This is consistent with the definition of schedule non-compliance [of schedule noncompliance] for Quarterly Noncompliance Report (QNCR) preparation and for defining significant noncompliance (SNC).

Violation of any MCP schedule milestone is still an enforceable action even though only three milestones are considered SNC (start construction, complete construction, and achieve operational level). Action should be taken to enforce against or adjust interim milestones. This is particularly true where the violation of an interim milestones impacts one of the three schedule milestones included in SNC definition.

3(a) ADMINISTRATIVE ACTIONS

3(a) Headquarters will report EPA Administrative Orders (AOs); Regions will report State equivalent actions. EPA AOs must arrive at Headquarters by the fourth working day of the new quarter in order to be counted in the report. (Includes pretreatment AOs)

3(b) CLOSE-OUTS

3(b) An AO will be considered closed-out when the requirements of the order have been completed in full or a judicial action has been referred to HQ or DOJ.

A subsequent AO may constitute a close out if the second AO satisfies the intent of the original AO. An example of this is where an AO requesting a proposed schedule is not complied with, but a second order prescribing a schedule is issued.

WATER ENFORCEMENT AND PERMITS

<u>QUANTITATIVE MEASURE</u>	<u>DEFINITION/PERFORMANCE EXPECTATION</u>
ENFORCEMENT:	
3(d) <u>REFERRALS</u>	3(d) Federal referrals will be reported by the Office of Enforcement and Compliance Monitoring (OECM); State referrals will be reported by the Regions. (Includes pretreatment referrals)
3(e) <u>CONSENT DECREES</u>	3(e) Remedial actions include decree modifications, contempt actions, collection of stipulated penalties, and other activities as defined in the OECM guidance.
3(g) <u>DMR/QA</u>	3(g) DMR/QA followup includes the following: Nonrespondents - nonrespondent notices; when necessary, additional phone calls and letters; Permittees requiring corrective action - ascertain from permittee sources of errors and corrective actions to be taken; Both - use for scheduling Performance Audit Inspections (PAI's).

WATER ENFORCEMENT AND PERMITS

QUANTITATIVE MEASURE

DEFINITION/PERFORMANCE EXPECTATION

ENFORCEMENT:

5(a)-(b) PCS

5(a)-(b) WENDB elements are the core of information necessary so that PCS can function as a useful operational and management tool and can be used to conduct oversight of the effectiveness, or overall health of the NPDES Program. The list of WENDB elements can be found in the PCS Policy Statement. It includes permit facility, permit event, parameter limits, pipe schedule, inspection, evidentiary hearing, compliance schedule, measurement, and enforcement action data.

Regions are expected to maintain 100% data entry of WENDB elements for majors, minor 92-500s, and other minors as required by the PCS Policy Statement.

The \$ indicator for P.L. 92-500 permittees is to be entered as soon as a permittee who constructed using P.L. 92-500 funding is completed and operational, and the final inspection is approved. The F indicator for permittees on final effluent limits is to be entered as soon as the permittee fulfills the definition of a permittee on final effluent limits.

6(a)-(c) INSPECTIONS

6(a)-(c) Regional and State inspection plans should be established by FY 1987 in accordance with guidance on inspection plans.

As the inspection strategy states, all major facilities should receive the appropriate type inspection each year by either EPA or the State. EPA and States collectively commit to the number of major permittees inspected each year with a Compliance Evaluation Inspection (CEI), Compliance Sampling Inspection (CSI), Toxics Inspection (TOX), Biomonitoring Inspection (BIO), Performance Audit Inspection (PAI), Diagnostic Inspection (DIAG), or Reconnaissance Inspection (RI). Reconnaissance Inspections will only count toward the commitment when they are done on facilities that meet the following criteria:

WATER ENFORCEMENT AND PERMITS

QUANTITATIVE MEASURES

ENFORCEMENT:

6(a)-(c) INSPECTIONS
(con't)

DEFINITION/PERFORMANCE EXPECTATION

- (1) The facility has not been in SNC for any of the four quarters prior to the inspection.
- (2) The facility is not a primary industry as defined by 40 CFR, Part 122, Appendix A.
- (3) The facility is not a municipal facility with a pretreatment program.

Commitments for major permittee inspections should be quarterly targets and are to reflect the number of major permittees inspected at least once. The universe of major permittees to be inspected is defined as those listed as majors in PCS as of July 1, 1986. Multiple inspections of one major permittee will count as only one major permittee inspected (however, all multiple NPDES inspections will be included in the count for the measure that tracks the total number of all inspections - see next paragraph). In the event EPA and the State both inspect a permittee (in separate inspections) EPA will be credited for coverage of majors. This is only true in the measure calling for all major permittees to be inspected.

WATER ENFORCEMENT AND PERMITS

QUANTITATIVE MEASURES

DEFINITION/PERFORMANCE EXPECTATION

ENFORCEMENT:

6(a)-(c) INSPECTIONS (Cont'd)

When conducting inspections of POTWs with approved pretreatment programs, a pretreatment inspection component (PCI) should be added, using the established PCI checklist. An NPDES inspection with a pretreatment component will be counted toward the commitments for majors, and the PCI will count toward the commitment for POTW pretreatment inspections. (This will be automatically calculated by PCS.) Regions are encouraged to continue CSI inspections of POTWs where appropriate.

The measure for tracking total inspection activity will not have a commitment. CEI, CSI, TOX, BIO, PAI, and DIAG of major permittees, minor P.L. 92-500 and significant minor permittees will be counted. Pretreatment inspections for IUs and POTWs will be counted only toward pretreatment inspection commitments. in the total. Multiple inspections of one permittee will be counted as separate inspections; Reconnaissance Inspections will be counted. It is expected that up to 10% of EPA resources will be set aside for neutral inspections or minor facilities.

Tracking of inspections will be done at Headquarters based on retrievals from the Permit Compliance System (PCS) according to the following schedule:

<u>INSPECTIONS</u>	<u>RETRIEVAL DATE</u>
	The First working day after the second update in:
July 1, 1986 through Sep. 30, 1986	Jan. 1987
July 1, 1986 through Dec. 31, 1986	April 1987
July 1, 1986 through March 31, 1987	July 1987
July 1, 1986 through June 30, 1987	Oct. 1987

Inspections may not be entered into PCS until the inspection report with all necessary lab results has been completed and the inspector's reviewer or supervisor has signed the completed 3560-3 form.

QUANTITATIVE MEASURES

ENFORCEMENT:

8(a)-(b) EXCEPTION LIST

DEFINITION/PERFORMANCE EXPECTATION

8(a)-(b) In regard to all major permittees listed in significant non-compliance on the Quarterly Noncompliance report (QNCR) for any quarter, Regions/NPDES States are expected to ensure that these facilities have returned to compliance or have been addressed with a formal enforcement action by the permit authority within the following quarter (generally within 60 days of the end of that quarter). In the rare circumstances where formal enforcement action is not taken, the administering Agency is expected to have a written record that clearly justifies why the alternative action (i.e., informal enforcement action or permit modification in process) was more appropriate. Where it is apparent that the State will not take appropriate formal enforcement action before the end of the following quarter, the States should expect the Regions to do so. This translates for exception list reporting as follows:

EXCEPTION LIST reporting involves tracking the compliance status of major permittees listed in significant noncompliance on two or more consecutive QNCRs without being addressed with a formal enforcement action. Reporting begins on January 1, 1987 based on permittees in SNC for the quarters ending June 30, and September 30, that have not been addressed with a formal enforcement action by December 1. Regions are also expected to complete and submit with their exception list a fact sheet which provides adequate justification for a facility on the exception list. The fact sheet should be submitted by the 15th day of the beginning of the next quarter.

1st qtr.	January 15
2nd qtr.	April 15
3rd qtr.	July 15
4th qtr.	October 15

Reporting is to be based on the quarter reported in the QNCR (one quarter lag).

WATER ENFORCEMENT AND PERMITS

QUANTITATIVE MEASURES

DEFINITION/PERFORMANCE EXPECTATION

ENFORCEMENT:

8(a)-(b) EXCEPTION LIST
(Cont'd)

Returned to compliance (Refer to the QNCR Guidance for a more detailed discussion of SNC and SNC resolution.) for Exception List facilities refers to compliance with the permit, order, or decree requirement for which the permittee was placed on the Exception List (i.e. same outfall, same parameter). Compliance with the conditions of a formal enforcement action taken in response to an Exception List violation counts as an enforcement action (rather than return to compliance) unless the requirements of the action are completely fulfilled and the permittee achieves absolute compliance with permit limitations.

Formal enforcement actions against non-federal permittees include any statutory remedy such as Federal Administrative Order or State equivalent action, a judicial referral (sent to HQ/DOJ/SAG), or a court approved consent decree.

Formal enforcement actions against federal permittees include Federal Facility Compliance Agreement, documenting the dispute and forwarding it to Headquarters for resolution, or granting them Presidential exemption.

QUANTITATIVE MEASURES

DEFINITION/PERFORMANCE EXPECTATION

PRETREATMENT:

1(b) # of local pretreatment programs approved during FY 87 (list separately: non-pretreatment States, approved pretreatment States).

1(b) A local pretreatment program is considered approved when, after appropriate public notice and comment, the Approval Authority (Regional Administrator or the State Director) approves the local program. Commitments for non-pretreatment States and for approved pretreatment States are to reflect all programs that are required but are not approved as of September 30, 1986. Referral actions will be considered when assessing progress toward achieving commitments. Referrals that, in fact, have been turned over to the Justice Department will count as the equivalent of an approved program.

3(a) # of audits of local pretreatment programs during FY 1987 (list separately: non-pretreatment States, approved pretreatment States).

3(a) A local pretreatment program audit is a detailed on-site review of an approved program to determine its adequacy. The audit report identifies needed modifications to the approved local program and/or the POTW's NPDES permit to address any problems. The audit includes a review of the substantive requirements of the program, including local limits, to ensure protection against pass through and interference with the treatment works and the methods of sludge disposal. The auditor reviews the procedures used by the POTW to ensure effective implementation and reviews the quality of local permits and determinations (such as implementation of the combined wastestream formula. In addition, the audit includes, as one component, all the elements of a pretreatment compliance inspection (PCI).

Performance Expectation:

At a minimum, audits should be performed at least once during the term of the POTW's permit. Although an audit includes all the elements of a PCI, as one component, the activity should not be counted as both an audit and a PCI; it should be counted as an audit. In any given year, all POTWs that are not audited should have a PCI as part of the routine NPDES inspection at that facility.

WATER ENFORCEMENT AND PERMITS

QUANTITATIVE MEASURES

DEFINITION/PERFORMANCE EXPECTATION

PRETREATMENT:

4(b) Significant Noncompliance
for Industrial Users

Significant noncompliance for categorical industrial users is defined in the March 1986 Pretreatment Control Authority Guidance. It is based on a pattern of effluent limit Violations, failure to comply in a timely fashion with compliance schedules milestones, or reporting requirements.

2(a) # of local pretreatment
programs inspected during
FY 1987 (list separately:
non-pretreatment States,
approved pretreatment
States).

(Cont'd)

2 (a) The pretreatment compliance inspection (PCI) assesses POTW compliance with its approved pretreatment program and its NPDES permit requirements for implementation of that program. The checklist to be used in conducting a PCI assesses the POTW's compliance monitoring and enforcement program, as well as the status of issuance of control mechanisms and program modifications. A PCI must include a file review of a sample of industrial user files. (The PCI module is currently in draft. It may be necessary to revise this definition when the module is complete)

For purposes of reporting, both audits and pretreatment compliance inspections should be lagged by one quarter (i.e., same as NPDES inspections).

Pretreatment Inspections will be tracked on three levels: Pretreatment Inspections of approved POTWs (see definition of NPDES inspections), Pretreatment Inspections of Industrial Users (IUs) in unapproved POTWs, and Pretreatment Inspections of IUs in approved POTWs.

WATER ENFORCEMENT AND PERMITS

QUANTITATIVE MEASURES

DEFINITION/PERFORMANCE EXPECTATION

PRETREATMENT:

2(b)(c) Pretreatment Enforcement

Pretreatment enforcement actions (AOs and referrals) will be incorporated into the total actions as well as being counted separately. An enforcement action for multiple violations must be counted only once; therefore, Headquarters will assume that the total actions minus pretreatment actions will equal non-pretreatment NPDES actions.

2(b)(c) Pretreatment Enforcement

"State" enforcement actions (AOs and referrals) include actions by States with approved pretreatment authority and actions by NPDES States for violation of a pretreatment requirement of an NPDES permit.

WATER ENFORCEMENT AND PERMITS

QUANTITATIVE MEASURES

STATE PROGRAMS:

- 1(a) Achieve NPDES program approvals and modifications in accordance with established schedules:
- Full NPDES program;
 - Pretreatment Program modifications;
 - Federal facility modifications
- 2(a) Update list of NPDES States for which Region will assess statutory and regulatory authority in FY 87.

DEFINITION/PERFORMANCE EXPECTATION

- 1(a) Performance Expectation:
Acceptable Regional performance is having and effectively pursuing a current written strategy for each State to achieve full NPDES program administration. The strategy was to have been prepared by the Region in consultation with the State, identify the obstacles to full program approval and set forth a work plan for overcoming the obstacles. The work plan should describe what needs to be done, make recommendations on how it can be accomplished, and provide needed and reasonable estimates of time required. Regions will approve remaining State pretreatment/Federal facility programs, will condition FY 87 grants as necessary, and may begin program withdrawal if States fail to seek full program authority.
- 2(a) Performance Expectation:
The Region's goal should be to conduct a complete review of the statutory and regulatory authority for all NPDES State programs by the end of FY 1987. An acceptable performance will be the completion of these reviews for all States approved before 1980 and completion of a self-evaluation by all States approved since 1980. Where several NPDES State programs remain to be reviewed in FY 87, a minimum level of acceptable performance is to initiate three State reviews.