



Permitting for Environmental Results (PER) NPDES Profile: District of Columbia

PROGRAM RESPONSIBILITY

EPA Region 3: NPDES authority for base program, general permitting, federal facilities, pretreatment, biosolids

Program Integrity Profile

This profile characterizes key components of the National Pollutant Discharge Elimination System (NPDES) program, including program administration and implementation, environmental outcomes, enforcement, and compliance. EPA considers profiles to be an initial screen of NPDES permitting, water quality, enforcement, and compliance programs based on self-evaluations by the States and a review of national data. EPA will use the profiles to identify program strengths and opportunities for enhancements. For more information, please contact Jerusalem Bekele, DC Department of Health, at (202) 535-1603 or Garrison Miller, EPA Region 3, at (215) 814-5745.

Section I. Program Administration

1. Resources and Overall Program Management

Because the District of Columbia (DC) is not authorized to run its NPDES program, EPA administers the program in the District of Columbia. EPA Region 3 provides annual funding through the District of Columbia's Surface Water Grant under section 106 of the Clean Water Act, which includes performance of NPDES inspections. Region 3 and the DC management and staff work closely to set priorities and carry out all other aspects of administering the program.

Currently, the Region has four people assigned to write NPDES permits for the District of Columbia. The salaries of the personnel involved range from GS-11 through GS-14 and the percentage of time that each devotes to the NPDES program ranges from 25% to 100%. The cost of joint publication of public notices of draft permits in the Washington Post ranges from \$10,000 to \$15,000 per year, depending on the number of permits issued. The District of Columbia has one full-time employee who performs compliance inspections at NPDES facilities for EPA through the Clean Water Act section 106 grant at an annual cost of approximately \$200,000.

EPA is the principal training resource for the DC NPDES staff members. They are invited to participate in training opportunities and meetings. This appears to be the most effective way to provide training to the small number of DC staff, and it provides an opportunity for Regional and DC staff to share information.

2. State Program Assistance

EPA Region 3 and the District of Columbia are not discussing NPDES authorization for the District.

3. EPA Activities in Indian Country

Not applicable because there are no federally recognized tribes in the District of Columbia.

4. Legal Authorities

EPA Region 3 implements the NPDES program in the District of Columbia using its authorities under the Clean Water Act.

5. Public Participation

The District of Columbia is committed to public participation; however, it has limited funds for this. To make best use of available funds, whenever EPA makes an NPDES permit available for public comment, it co-notices with DC public participation for certification. EPA receives comments on the permit, and the District receives comments on certification issues. Certifications are required to be provided within 60 days of the District's receipt of a draft permit. Certifications may be extended under unusual circumstances; otherwise certification is deemed waived under title 40 of the Code of Federal Regulations (CFR) section 124.53. A certification must comply with the regulatory requirements. 40 CFR 124.55(e) requires review of conditions attributable to State certification to be made through State procedures.

When the District of Columbia makes changes to its regulations, it holds a public meeting or hearing once during the calendar year, usually in the late spring, to solicit public comment on those changes. In addition to changes in regulations, the District uses these public meetings to advise the public of all programs it intends to fund in the next fiscal year. Generally these public meetings are attended by interested local neighborhood advisory committees, environmental groups, and other interested parties.

During development of the publicly owned treatment works' (POTW's) pretreatment program, the document is made available for public comment. During EPA's review of the program submitted by the POTW, any significant changes and any modifications of the document are made available for public comment as part of the approval process.

Whenever EPA makes a draft permit available for public comment or issues a final permit, all pertinent records are included in the administrative record. A copy of each administrative record is sent to the Martin Luther King, Jr., Library and can be accessed during normal library hours. In addition, copies of records can also be obtained through the EPA Regional office.

As part of EPA's initiative to place NPDES permits on the Web through Envirofacts, major permits issued since November 1, 2002, including several permits and fact sheets issued by the Region, are posted on EPA's Web site. Instructions for accessing these documents are available at <http://www.epa.gov/npdes/permitdocuments>. As of May 17, 2004, two major permits issued by the

Region since November 1, 2002, had been posted on the Web site. Whenever the Region issues a permit within the District of Columbia, it will be added to the Web site.

6. Permit Issuance Management Strategy

None of the District of Columbia's major NPDES permits are backlogged at this time. One minor permit (Naval District - Washington, DC0000159) has expired. This permit will be inactivated once the facility is covered under a general permit.¹

EPA Region 3's Water Protection Division reviews information in the Permit Compliance System (PCS) on DC's NPDES permits, which allows the Region to monitor permit applications for reissuance. Applications for NPDES permits are coordinated with the DC Department of Health (DOH). The Water Protection Division and the DOH also rely on the compliance services offered by the Fort Meade offices of EPA for additional inspection support.

Because EPA is the permit issuing authority, it is responsible for the quality of each permit. Region 3 uses a checklist that it developed and that is used by each of the States, thereby ensuring the quality of each permit and consistency with State-issued permits. Furthermore, each major permit and some minor permits issued in the District of Columbia undergo intense public scrutiny by environmental groups and other interested parties. Given the amount of review each permit receives, there is little chance that the resulting permits will be lacking in quality.

Table 1: Percentage of Facilities Covered by Current Permits in District of Columbia

	2000	Nat'l Avg.	2001	Nat'l Avg.	2002	Nat'l Avg.	2003	Nat'l Avg.
Major Facilities	50%	74%	50%	76%	50%	83%	100%	84%
Minor Facilities Covered by Individual Permits	82%	69%	67%	73%	67%	79%	73%	81%
Minor Facilities Covered by Individual or Non-stormwater General Permits	N/A	N/A	N/A	N/A	N/A	85%	N/A	86%

Source: PCS, 12/31/00; 12/31/01; 12/31/02; 12/31/03. (The values in the National Data Sources column of the Management Report, measures #19 and #20, are PCS data as of 6/30/04.)

Two permits were appealed in the past year: the permit for the Washington Aqueduct and the permit for the Blue Plains Advanced Wastewater Treatment Plant. The Washington Aqueduct permit was appealed by the permittee and an environmental organization. The permittee's appeal was settled through a

¹ The National Data Sources column on the Management Report, measure #20, states that 72.7% of minor permits (8 of 11) are current. However, one permit (for DC Materials, DC0000191) was issued on 6/4/04, and another (the MS4 permit, DC0000221) was issued on 8/19/04. The current percentage is therefore 90.0% (10 of 11).

modified permit; the Environmental Appeals Board (EAB) issued its opinion on July 29, 2004, in the Washington Aqueduct appeal, and this opinion is being reviewed by the Region and others.

The Blue Plains permit was appealed by the permittee and two environmental organizations. EPA has withdrawn all of the contested permit provisions. In March 2004 EPA made available for public comment a draft modified permit that addresses the contested permit conditions and includes Phase II permit requirements under the combined sewer overflow (CSO) Policy.

The DC Municipal Separate Storm System (MS4) Permit and its amendments were appealed in 2000 and 2001. These appeals were addressed together and were decided by the EAB in February 2002. The consequences of the decision were addressed in the reissued permit, which became effective on August 19, 2004.

7. Data Management

EPA inputs all data for the District of Columbia and is therefore responsible for the timely entry and quality of all entries. PCS is the primary data system used by Region 3 to manage DC NPDES data. EPA is the provider of PCS information. The District can access it through EPA.

Stormwater data are tracked through the Multi-Sector General Permit, and data are provided to Region 3 by the National Notice of Intent (NOI) Center. Region 3 forwards copies of the monthly reports to the District of Columbia. EPA and the District of Columbia review discharge monitoring reports (DMRs), although EPA is responsible for inputting data into PCS. EPA and the District of Columbia have an agreement whereby the District has access to EPA's Fort Meade Laboratory for chemical assessment and verification.

Because the District of Columbia is small in size, it has an excellent inventory of water uses. Its water quality problems are the result of urbanization, in particular stormwater, and are generally well known. The DC data inventory is reviewed for accuracy and completeness. Region 3 enters data twice a week and reviews audit reports for accuracy and completeness. These reports primarily consist of DMR data but may contain other data entered during the week. Electronic copies are checked against hard copies to ensure accuracy.

To ensure accuracy, PCS staff review new permits. Questions relating to permit conditions are resolved through discussions between permit staff and PCS staff, and data are then entered into the system. Audit reports for permit denials and the limit summary report pulled from PCS are reviewed and compared with the hard copy. Data are compiled quarterly to verify past compliance schedules and enforcement actions needing to be closed. When these compilations reveal apparent data quality problems, schedule dates are entered and enforcement actions are closed immediately.

Quarterly noncompliance reports (QNCRs) for minor facilities are used to track effluent, schedule, and DMR non-receipt violations. During data completeness reviews in spring 2004, EPA found records missing address and flow data. All missing addresses (the addresses of two major facilities and seven minor facilities) have since been entered into PCS; flow has been entered for three facilities and the Region continues to work on the remainder.

Metadata for pipe latitude and longitude are not available for PCS input. The data entered into PCS were the data provided by the permittee on the current NPDES permit application and validated by Region 3 staff.

The District of Columbia maintains its own systems of water quality data storage for use in preparing such documents as the water quality inventory prepared under Clean Water Act section 305(b) and other interpretative water quality assessment materials.

Section II. Program Implementation

1. Permit Quality

Because EPA is the permitting authority, it prioritizes permits for issuance. There are only three watersheds in the District of Columbia (the Anacostia River, Rock Creek, and the Potomac River). Generally, facilities in the Anacostia watershed are assigned a high priority. (The Anacostia has been designated a priority watershed in the District of Columbia.) Facilities in the Potomac watershed, in particular the Washington Aqueduct, are also given a high priority. Because stormwater is a major problem in DC, issuing its MS4 and POTW permits is a high priority for EPA, and EPA has made a lot of progress in this area in recent years. EPA has experienced permit writers and little turnover in the NPDES program, so as permits come up for reissuance or modification, new information is incorporated into them (for example, total maximum daily loads or new water quality standards), and accordingly, permit conditions become increasingly tight.

EPA prioritizes permit reissuance based on the date the permit expires. The goal is to reissue a new permit at the time the old permit expires.

EPA uses all relevant federal guidance and regulations as well as training to ensure that the water quality standards for whole effluent toxicity (WET) are met. EPA is working to enhance its WET program by collaborating with the U.S. Fish and Wildlife Service and the U.S. National Marine Fisheries Service on site-specific modifications to WET test procedures for the Washington Aqueduct permit. In addition, EPA collaborates with these two federal agencies on all major permits issued in DC and on all minor permits for facilities that discharge to DC waterways.

2. Pretreatment

The District of Columbia is served by only one POTW, the Blue Plains Advanced Wastewater Treatment Plant. Blue Plains has an approved POTW pretreatment program and ensures, through interjurisdictional coordination, that 100% (68 of 68) of significant industrial users (SIUs) are addressed by control mechanisms that apply pretreatment standards and requirements.² These 68 SIUs are located in the District of Columbia, Maryland, and Virginia.

The day-to-day pretreatment activities (permitting, inspection, enforcement, and the like) for SIUs in Maryland and Virginia are generally done by the POTWs in Maryland and Virginia (the Washington Suburban Sanitary Commission [WSSC] in Maryland and Fairfax and Loudoun Counties in Virginia). Blue Plains requires periodic reports on the status of the users in these areas, and includes the necessary information on these users in its annual pretreatment report to EPA. Region 3 considers users in Maryland and Virginia to be a part of the Blue Plains pretreatment program, and does not approach these users any differently than users that are located in the District of Columbia.

² The National Data Sources column of the Management Report, measure #24, shows that 98.5% of SIUs have control mechanisms. This is an error due to a typo in the expiration date of the control mechanism for one SIU, which has since been corrected.

The District of Columbia is not authorized to administer its own pretreatment program; EPA Region 3 is the approval authority. The Region conducts audits of Blue Plains and sends its report to the POTW as an enclosure in a letter. Based on the POTW's response, the need for further follow-up is determined. Further follow-up could include a letter acknowledging correction of the deficiencies, correspondence requiring additional action or clarification, establishment of a schedule for correction of the deficiencies, or enforcement, generally in that order. In most cases, the POTW is given a chance to correct any problems before any enforcement action is taken. Depending on the severity of the deficiencies, the schedule for correction of the deficiencies could be handled informally or through an enforcement action. Time frames vary depending on the severity of the deficiencies, and the more severe deficiencies are addressed more quickly.

The Blue Plains treatment plant serves all of the District of Columbia. The POTW has an approved pretreatment program and issues all SIU permits for facilities in the District. Permits for facilities in Maryland that discharge to Blue Plains are issued by WSSC, and permits for facilities in Virginia that discharge to Blue Plains are issued by Fairfax County and Loudoun County.

SIUs located in Maryland that discharge to the Blue Plains Treatment Plant are counted as part of Blue Plains' total, but they are also counted as part of the WSSC's total by the State of Maryland. Because these facilities are in Maryland, the State of Maryland believes that it has some responsibility for ensuring compliance by the users. For this reason, the State of Maryland requires WSSC to report on the status of these facilities, tracking them accordingly. It is unclear whether Virginia also counts the facilities in Fairfax County as part of the county program. Loudoun County does not have an approved program, and therefore those facilities are counted only as part of the Blue Plains program. In calendar year 2002, approximately 55% of the SIUs were in the WSSC service area, 7% were in Fairfax County, 3% were in Loudoun County, and 35% were in the District of Columbia.

3. Concentrated Animal Feeding Operations

There are no CAFOs in the District of Columbia.

4. Stormwater

The District of Columbia is a Phase I city, and all stormwater issues are handled in its MS4 and Blue Plains permits. A second-round MS4 Permit was issued on August 19, 2004.³ EPA uses the federally developed stormwater general permits for industrial activities and construction in the District of Columbia. EPA Headquarters has a contractor that electronically tracks permit information, including NOIs, and sends copies of that information to the Region monthly. General permits are used for industrial dischargers and construction. The general stormwater permit requires the development of a Storm Water Pollution Prevention Plan with limited effluent monitoring. The data are tracked by the EPA Headquarters consultant assigned to issue and oversee the general stormwater permitting process, and information is submitted to the Region for its use.

³ The National Data Sources column on the Management Report, measure #28, shows that one Phase I permit was not current. This reflects the fact that the MS4 permit was not current as of July 1, 2004.

EPA maintains an electronic system for NOIs.

5. Combined Sewer Overflows/Sanitary Sewer Overflows

The District of Columbia Water and Sewer Authority (WASA) is the NPDES permittee required to comply with its NPDES permit requirements for the control of DC's CSOs. The Blue Plains permit, which controls CSOs in the District of Columbia, conforms to the 1994 CSO Control Policy. Nine minimum control requirements are implemented through the Blue Plains permit and a consent decree, which was entered on October 10, 2003. There are no satellite communities in the District of Columbia.

WASA has developed a long-term control plan (LTCP). EPA Region 3 is incorporating Phase II permit conditions into a modified Phase II permit, which was made available for public comment in March 2004.

As noted previously, EPA is the permitting authority in the District of Columbia. The DOH is responsible for establishing water quality standards and administering the water quality standards program in the District. By letter dated August 28, 2003, DOH advised EPA that it had determined that the LTCP was in compliance with the CSO Policy, including discharges remaining after implementation that would not violate water quality standards.

Under the Blue Plains permit, it is the permittee's responsibility to notify the public of CSOs. The permit requires WASA to place signs at CSO outfalls and to provide information on its Web site regarding CSO incidents. In addition, WASA will be required to install lighted signals at certain outfalls when those outfalls discharge.

At present, the District of Columbia notifies citizens of CSOs on its Web site. Data on CSO discharges reflect a combination of actual monitoring and volume estimates derived from the combined sewer system model.

No serious problems involving sanitary sewer overflows (SSOs) exist in the District's separate system. In the event of an extremely rare SSO incident triggered by extreme rainfall or snowmelt, reports are sent to the Region and posted on the Web.

6. Biosolids

EPA promulgated the Sewage Sludge Use or Disposal Regulation (40 CFR part 503) on February 19, 1993. This rule includes standards that apply to publicly, privately, and federally owned facilities that generate or treat sewage sludge as well as to any person who uses or disposes of sewage sludge or domestic septage. These standards consist of general requirements; pollutant limits; management practices; operational standards; and requirements for monitoring, record keeping, and reporting. The rule includes requirements for the beneficial use of sewage sludge as well as the generation of high-quality sludge-based soil amendments and fertilizer products that are given away or sold on the open market. The rule is designed to protect public health and the environment when sewage sludge is beneficially applied to land, placed in a surface disposal site, or incinerated. The rule was developed in accordance with the 1987 amendments to the Clean Water Act.

EPA Region 3 is responsible for administering the 40 CFR part 503 requirements in the District of Columbia. Because DC does not have NPDES authorization, EPA is the permitting authority. EPA has issued one NPDES POTW permit to the District of Columbia Water and Sewer Authority in DC. The following permit terms appear in WASA's permit:

The permittee shall comply with all existing federal and state laws and regulations that apply to sewage sludge use and disposal practices including 40 C.F.R. 503 and 40 C.F.R. 258 which are hereby incorporated as part of the permit by reference, and the Clean Water Act (CWA) Section 405(d) technical standards.

If an applicable management practice or numerical limitation for pollutants in sewage sludge are more stringent than existing federal and state regulations is promulgated under 405(d) of the CWA, this permit shall be modified or revoked or reissued to conform to promulgated regulations.

EPA Region 3 developed a sewage sludge discharge monitoring report form that is used by facilities that are required to report to EPA on February 19 of each year (i.e., all major facilities and any minor facilities required to have a pretreatment program). After receiving an annual sewage sludge report from WASA, EPA Region 3 reviews the report and enters the information into PCS for tracking purposes. EPA Region 3 obtains a print out from PCS to determine the amount of sewage sludge generated annually and the amount of sewage sludge used or disposed of (i.e., applied to land, surface disposed, sent to a municipal solid waste landfill, incinerated, or sent to another facility for treatment). Currently, over 99% of DC's sewage sludge is applied to land or distributed for reuse. EPA Region 3 developed a sewage sludge inspection form for facilities that use or dispose of their sewage sludge and an inspection form for the land appliers of sewage sludge. To date, EPA Region 3 has not inspected any sewage sludge facilities or land appliers in the District of Columbia.

Section III. NPDES Compliance Monitoring and Enforcement Response

In a separate initiative, EPA's Office of Enforcement and Compliance Assurance (OECA), EPA Regions, and the Environmental Council of the States have developed a tool for assessing State performance in enforcement and compliance assurance to ensure that States meet agreed-upon minimum performance levels and provide a consistent level of environmental and public health protection nationwide. OECA will use the State profiles to focus these efforts and identify areas needing further discussion and evaluation. Where the state or territory (such as the District of Columbia) is not authorized to implement the NPDES program, OECA will use the above process to evaluate regional performance in implementing the NPDES compliance and enforcement programs.

1. Enforcement Program

All NPDES individual permittees are inspected annually. Facilities covered by the Multi-Sector General Permit and general construction permits are inspected in response to complaints or if they involve sectors such as auto salvage yards, marinas, and construction sites impacting the Anacostia River, a Regional priority watershed.

The DOH maintains an active enforcement program with approximately 200 enforcement actions per year.

EPA Region 3 is the NPDES program enforcement authority in the District of Columbia. Region 3 identifies and prioritizes corrective measures and ensures that they are taken to address noncompliance problems causing environmental/human health impacts. The Region does this by conducting inspections of NPDES discharges in the District of Columbia and taking enforcement actions when warranted. Region 3 follows EPA national policies regarding timely and appropriate enforcement, including penalty assessments. Enforcement actions contain provisions to address noncompliance. The Region verifies completion of injunctive relief and supplemental environmental projects by tracking enforcement actions and reporting requirements.

DMRs for Blue Plains are reviewed monthly. All others are screened through the QNCR process. Inspections and responses to complaints are coordinated with DOH. DOH also accompanies EPA on inspections in DC and provides rapid response and information on emergency situations.

The environmental effects and results of all enforcement actions in DC are documented using case conclusion data sheets. Using these sheets, EPA has documented the annual reduction of 19 million pounds of total suspended solids (TSS) and 18,000 pounds of aluminum from the Potomac River as a result of the Washington Aqueduct permit. This is the largest single environmental benefit recorded from a federal facility during the past 5 years. Using monitoring data from the District of Columbia MS4 Phase I Storm Water Permit, Region 3 was able to demonstrate that best management practices implemented in the upper portions of the Hickey Run subwatershed were working to ensure compliance with the oil and grease TMDL approved for this water body.

Because of the small number facilities in the District of Columbia, a change in the compliance status of one facility results in a 25% change in the District's rate of significant noncompliance. Instances of significant noncompliance that are believed to resolve themselves in a timely manner are not usually addressed by formal enforcement action, although informal actions or compliance assistance may be used. Variability in inspections conducted or number of formal enforcement actions issued is often explained by a particular compliance initiative. For example, during 2000 and 2001 Region 3 conducted a compliance initiative directed at salvage yards.

2. Record Keeping and Reporting

EPA maintains accurate and up-to-date records of performance and agency responses. These records are available to the public.

3. Inspections

All individual NPDES permittees are inspected annually. Facilities covered by the Multi-Sector General Permit and the General Construction Permit are inspected in response to complaints or if they are involved in sectors such as auto salvage yards, marinas, and construction sites impacting the Anacostia River, a regional priority watershed.

DOH is informed of all EPA enforcement actions and may provide assistance.

4. Compliance Assistance

Region 3 uses all of the compliance tools available to address compliance issues in DC. These tools include sector targeting and compliance assistance. Region 3 launched a salvage yard targeting operation a few years ago to address that sector's stormwater-related discharges in DC. Subsequent sector-based initiatives will address other industrial sectors in the District of Columbia. Region 3 measures compliance achieved from compliance assistance in accordance with established EPA policies and procedures.

DOH is informed of all EPA enforcement actions and may provide assistance.

Section IV. Related Water Programs and Environmental Outcomes

1. Monitoring

The District of Columbia maintains an extensive surface water quality monitoring program through its Clean Water Act section 106 grant for use in compiling its Clean Water Act section 305(b) report and other water quality documents. Separate stormwater monitoring programs (through its MS4 permit and TMDL program) further contribute to assessing stormwater issues and impaired water bodies.

The intergovernmental coordination review process identified in the District of Columbia's water quality standards provides the mechanism for linking the monitoring program to the District of Columbia's continuous planning process (CPP) document. The District of Columbia is initiating procedures based on this linkage for updating the CPP for the future.

The District of Columbia's Clean Water Act section 106 grant for FY2004 required an update of its monitoring strategy in accordance with the 10 elements guidance issued in March 2003. In March 2004 the District of Columbia forwarded a response that covered the necessary 10 elements. The District has completed a draft update, which was sent to EPA on July 1 and has been circulated for internal EPA review. Implementation of changes to the monitoring program is expected to begin in FY2005.

EPA permit writers work closely with monitoring/TMDL staff to ensure that permits reflect accurate wasteload allocations.

Program Summary Statistics report the following data for 2002:

- Of rivers and streams, 38.4 miles (100%) have been assessed for aquatic life and primary contact recreation.
- Of lakes, 238.4 acres (100%) have been assessed for aquatic life and primary contact recreation.

The 2004 report is under EPA review; on a preliminary basis, it appears that 100% of rivers/streams and lakes have been assessed for aquatic life and primary contact recreation.

2. Environmental Outcomes

The District of Columbia has assessed 100% of its waters. None of the waters meet designated uses; however, DC is on schedule to develop TMDLs, and TMDLs are being implemented through NPDES permits.

The District of Columbia is meeting its obligations under the TMDL consent decree. It is on target for meeting all TMDLs according to the schedule contained in the consent decree.

3. Water Quality Standards

Permit writers are required to draft both technology-based and water quality-based effluent limits (WQBELs) in NPDES permits. When establishing permit limits, it is necessary to determine whether the discharge has the potential to exceed water quality standards for each pollutant for which there is a State standard. The basis for each permit condition is explained in the permit fact sheet. For WQBELs in the Anacostia, EPA has access to sound scientific study data and, as a result, has been able to establish a baseline for stormwater permits in the Anacostia. All WQBELs are well documented in the permits and fact sheets.

The District of Columbia Water Quality Standards program relies on federal regulations, policies, and guidance in developing the narrative and numeric criteria for use in the District's adopted standards.

Implementation of the antidegradation policy contained in the District's water quality standards is authorized under the District's Water Pollution Control Act of 1984. NPDES permits developed by the Region for dischargers within the District and the Clean Water Act section 401 certification provided by the District under the program both include an assessment of how the antidegradation policy will be implemented before the permit is issued.

The District of Columbia's water quality standards currently address fecal coliform bacteria, among other pollutants; however, the Blue Plains permit requires analysis of other indicator organisms to accommodate the changes that are expected to be made to DC's water quality standards.

EPA uses numeric water quality criteria whenever possible; however, in the absence of specific numeric criteria, it uses narrative criteria. Most permits also include the narrative prohibition against toxics in toxic amounts and floatables. EPA uses the Technical Support Document (TSD) to establish water quality-based effluent limits. EPA was challenged on its water quality-based limits in the Washington Navy Yard and Washington Aqueduct permits. TMDL wasteload allocations are incorporated into permits as appropriate.

EPA Region 3 considers and applies all appropriate and current EPA regulations, guidance, and policies in writing its NPDES permits and in placing narrative standards and numeric criteria into these documents. This includes the use of the TSD and effluent guidelines for determining appropriate limits for technology and water quality-based permits, incorporating TMDLs as appropriate, and following all applicable EPA rules and guidance to appropriately incorporate water quality standards into WQBELs.

The District of Columbia is on a schedule to conclude the current triennial review of its water quality standards in the first part of calendar year 2005.⁴ The completed triennial review in 2005 will incorporate

⁴ The National Data Sources column of the Management Report, measure #44, indicates that DC had not completed an on-time triennial review. DC did hold a public hearing on its WQS on November 1, 2001, which meets the definition of a triennial review for this measure.

nutrient criteria for all DC waters.⁵ When completed, the triennial review will include the water quality criteria developed by EPA's Chesapeake Bay Program.

4. Total Maximum Daily Loads

Wasteload allocations from TMDLs are reviewed as a basis for new limits in each reissued or modified permit at the time they are made available for public comment. Although there may be some variation on implementation in permit limits depending upon the nature of the wasteload allocation, percent reductions are translated into permit limits according to the conditions of the TMDL. EPA tracks permits that contain TMDLs in PCS.

During permit issuance, EPA performs an analysis to determine whether the pollutants discharged have a reasonable potential to cause or contribute to a violation of water quality standards. If it is determined that a pollutant may cause such an exceedance, a WQBEL is established. WQBELs are established in accordance with EPA's TSD. Background levels are determined by using available data and studies.

In the absence of TMDLs or numeric water quality standards, the narrative portions of the water quality standards apply.

5. Safe Drinking Water Act

NPDES Permitting and Drinking Water Branches coordinate very closely on issues involving the Washington Aqueduct, which is the facility that produces drinking water for the District of Columbia and WASA, which owns the service lines. No other permits affect drinking water because there are no public drinking water sources downstream of the District of Columbia.

⁵ Note that measure #53 on the Management Report requires water quality standards for nutrients for all waters in order to be "yes." Since nutrient water quality standards have been established for only the tidal Anacostia, a "no" is still appropriate for this measure.

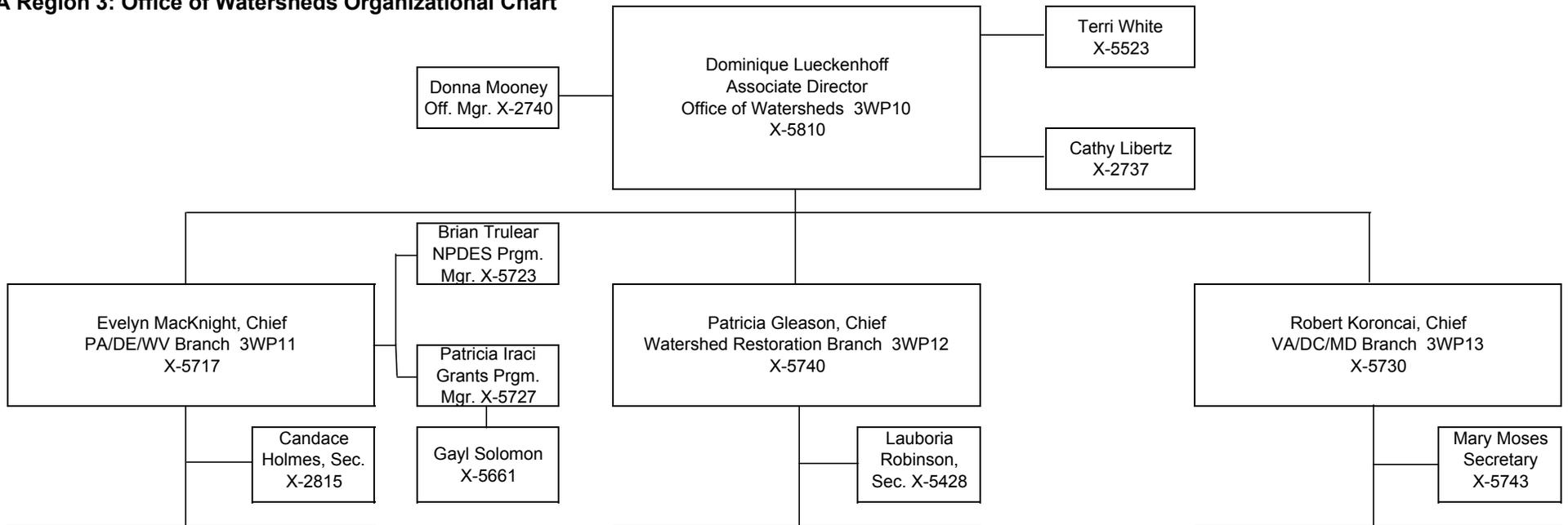
Section V. Other Program Highlights

Because of the District of Columbia's small size and dependence on EPA, DC and EPA management and staff work closely together. This has fostered an excellent working relationship and in-depth knowledge of the DC program and problems. Thanks to low staff turnover, the District and EPA Region 3 have developed an excellent working relationship and commitment to the NPDES program.

EPA is promoting opportunities for watershed trading on the Potomac River, in particular in DC. Once such opportunities are identified, EPA is committed to using its available resources, including permits, to affect trading. As is true of any permit condition, trading conditions will be tracked in PCS.

Permit writers work closely with State partners, water quality standards and TMDL staff, and others to gather accurate and timely information for DC permits. In addition, EPA has been involved in numerous scientific studies performed by the Academy of Natural Sciences, environmental groups, states, and consultants, which provide a wealth of information regarding DC's waters. The District of Columbia is interested in adopting electronic reporting.

EPA Region 3: Office of Watersheds Organizational Chart



PA Team	DE Team	WV Team
Team Leader Vacant	Bob Chominski Team Leader X-2162	Francisco Cruz Team Leader X-5734
Denise Hakowski X-5726	Agnes White X-5728	Cheryl Atkinson WQS X-3392
Christy McAllister X-5625	Jamie Davis Maternity Lv. X-5569	Dan Sweeney Mining X-5731
Suzanne Hall X-5701	Ana Pomales Detail X-5716	Jennifer Sincok X-5766
Mary Kuo X-5721	Roberta Riccio X-3107	Leo Essenthier X-5732
Vice - Larry Merrill	James Butch Detail	

TMDL Team	Watershed Restoration Team	Monitoring & Assessment Team
Tom Henry TMDL Prgm. Mgr. X-5752	Ralph Spagnolo Prgm. Mgr. X-2718	Larry Merrill Prgm. Mgr. X-5452
Mary Beck X-3429	Fred Suffian NPS Prgm. Mgr. X-5753	Eva Ammentorp Maternity Lv. X-5265
Fran Mulhern X-5457	Bob Runowski X-5385	Nancy Grundahl Detail
Peter Gold X-5236	Dan Welker X-2744	Mark Barath X-2759
Kuo-Liang Lai X-5473	Tom Iivari NPS - SEE X-2319	Janet Kremer X-2147
Marion White X-5714	Michael Stefanski Vista - X-5762	Andrew Seligman X-2097
Lenka Berlin SEE X-5259	Hanna Kaplan-Dondy - Vista X-5785	Donna Bostic X-2608
Paz Abejo SEE X-5157	Joseph Crooks X-5783	
	Daniel Van Nostrand Vista X-5787	

VA Team	DC Team	MD Team
Ann Carkhuff Team Leader X-5735	Paula Estornell Team Leader X-5632	Ed Ambrogio Team Leader X-2758
Frank Ciambiano X-5746	Garrison Miller X-5745	Eugene Mattis X-5747
Mark Smith X-3105	Mary Letzkus X-2087	Bernice Pasquini X-3326
	Jonathan Essoka X-5774	Susan Sciarratta X-5733
		Tiffany Crawford X-5776
		William Toffel X-5706

Updated 3/10/2004

NPDES Management Report, Fall 2004

District of Columbia

			Profile Section	GPRA Goal	Nat. Avg.	National Data Sources		Additional Data	
						State Activities	EPA Activities	State Activities	EPA Activities
NPDES Progress									
Universe	1	# major facilities (6,690 total)	I.1		n/a	n/a		4	
	2	# minor facilities covered by individual permits (42,057 total)	I.1		n/a	n/a		11	
	3	# minor facilities covered by non-storm water general permits (39,183 total)	I.1		n/a	n/a		0	
	4	# priority permits (TBD)	I.6			n/a		--	
	5	# pipes at facilities covered by individual permits (142,761 total)	I.7		n/a	n/a		112	
	6	# industrial facilities covered by individual permits (32,505 total)	I.1		n/a	n/a		13	
	7	# POTWs covered by individual permits (15,197 total)	I.1		n/a	n/a		2	
	8	# pretreatment programs (1,482 total)	II.2		n/a	n/a		1	
	9	# Significant Industrial Users (SIUs) discharging to pretreatment programs (22,158 total)	II.2		n/a	n/a		68	
	10	# Combined Sewer Overflow (CSO) permittees (831 total)	II.5		n/a	n/a		1	
	11	# CAFOs (current and est. future) (17,672 total)	II.3		n/a	n/a		0	
	12	# biosolids facilities (TBD '05)	II.6			n/a		--	
NPDES Program Administration	13	State or Region assessment of State NPDES program (none (N)/assessment (A)/profile (P))	I.1	50 states 2004	n/a	n/a		P	
	14	% pipes at facilities covered by individual permits w/ lat/long in PCS	I.7		46.3%	n/a		92.9%	
	15	State CAFO legal authority expected (mo/yr)	II.3	2005	n/a	n/a		n/a	
	16	# Withdrawal petitions/legal challenges (22 total)	I.4		n/a	n/a		n/a	
	17	DMR data entry rate	I.7		95%	n/a		100%	
	18	# permit applications pending (1,011 total)	I.6		n/a	n/a		0	
NPDES Program Implementation	19	% major facilities covered by current permits	I.6	90%	83.7%	n/a		100.0%	
	20	% minor facilities covered by current individual or non-storm water general permits	I.6	90% 12/04	87.0%	n/a		72.7%	90.9%
	21	# major facilities w/permits expired >10 yrs. (56 total)	I.6		n/a	n/a		0	
	22	% priority permits issued as scheduled (TBD '05)	I.6	95% 2005		n/a		--	
	23	% pretreatment programs inspected/audited during 5 yr. inspection period	II.2		85.3%	n/a		100.0%	
	24	% SIUs w/control mechanisms	II.2		99.2%	n/a		98.5%	100.0%
	25	% of CSO permittees with long-term control plans developed or required	II.5	75% 2008	82.2%	n/a		100.0%	
	26	% CAFOs covered by NPDES permits	II.3		35%	n/a		n/a	
	27	% biosolids facilities that have satisfied part 503 requirements (TBD '05)	II.6			n/a		--	
	28	# Phase I storm water permits issued but not current (76 total)	II.4		n/a	n/a		1	0
	29	# Phase I storm water permits not yet issued (5 total)	II.4		n/a	n/a		0	
	30	Phase II storm water small MS4 permits current (Y/N/D (draft)) (35 States)	II.4	100% states 2008	n/a	n/a		n/a	
	31	Phase II storm water construction permit current (Y/N/D (draft)) (49 States)	II.4	100% states 2008	n/a	n/a		Y	
NPDES Compliance Monitoring and Enforcement Response	32	% major facilities inspected	III.3		71%	0%		100%	
	33	(inspections at minors) / (total inspections at majors and minors)	III.3		76%	n/a		71%	
	34	% major facilities in significant non-compliance (SNC)	III.1		20%	--		50%	
	35	% SNCs addressed by formal enforcement action (FEA)	III.1		14%	--		0%	
	36	% SNCs returned to compliance w/o FEA	III.1		70%	--		100%	
	37	# FEAs at major facilities (666 total)	III.1		n/a	0		1	
	38	# FEAs at minor facilities (1,660 total)	III.1		n/a	0		1	

Explanation of Column Headers:

Profile Section: For each measure, this column lists the section of the profile where the program area (including any additional data for the measure) is discussed.

National Data Sources: The information in these two columns is drawn from two types of sources:

(1) EPA-managed databases of record for the national water program, such as PCS, the National Assessment Database, and the National TMDL Tracking System. NPDES authorities are responsible for populating PCS with required data elements and for assuring the quality of the data. EPA is working to phase in full use of NAD and NNTS as national databases.

(2) Other tracking information maintained by EPA Headquarters for program areas such as CAFOs, CSOs, and storm water.

The [definitions document](#) accompanying this Management Report provides a detailed definition of each data element in the National Data Sources columns.

Additional Data: These columns provide additional data in cases where information from other data sources differs from information in the National Data Sources column for reasons such as different timing of the data "snapshot." Additional data should generally adhere to the same narrative definitions as data in the National Data Sources, and should be derived using similar processes and criteria. Our goal is to work with the States on these discrepancies to ensure consistent and accurate reporting. A State contact is available who can respond to queries. The profiles discuss each additional data element.

State Activities: Information in these columns reflects activities conducted by the State program. (Shaded cells in these columns indicate that the work may not be entirely the State's responsibility, but a breakdown of the data into EPA and State responsibilities is unavailable.)

EPA Activities: Information in these columns reflects activities conducted by the EPA Region within the State.

NPDES Management Report, Fall 2004

District of Columbia

		Profile Section	GPRA Goal	Nat. Avg.	National Data Sources		Additional Data		
					State Activities	EPA Activities	State Activities	EPA Activities	
Water Quality Progress									
Universe	39	River/stream miles (3,419,857 total)	IV.2		n/a	38	n/a		
	40	Lake acres (27,775,301 total)	IV.2		n/a	238	n/a		
	41	Total # TMDLs in docket at end of FY 2003 (52,795 total)	IV.4		n/a	123	--		
	42	# TMDLs committed to in FY 2003 management agreement (2,435 total)	IV.4		n/a	41	0		
	43	# Watersheds (2,341 total)	IV.2		n/a	--	--		
Water Quality Administration	44	On-time Water Quality Standards (WQS) triennial review completed (42 States)	IV.3		n/a	N	n/a	Y	
	45	# WQS submissions that have not been fully acted on after 90 days (32 total)	IV.3	<25% submissions	n/a	n/a	0		
Water Quality Implementation	46	State is implementing a comprehensive monitoring strategy (Y/N) (TBD)	IV.1	all states 2005	--	--	--		
	47	% river/stream miles assessed for recreation	IV.2		13.8%	100.0%	n/a		
	48	% river/stream miles assessed for aquatic life	IV.2		22.0%	100.0%	n/a		
	49	% lake acres assessed for recreation	IV.2		49.4%	100.0%	n/a		
	50	% lake acres assessed for aquatic life	IV.2		48.5%	100.0%	n/a		
	51	# outstanding WQS disapprovals (23 total)	IV.3		n/a	0	n/a		
	52	WQS for E. coli or enterococci for coastal recreational waters (12 States)	IV.3	35 states 2008	n/a	n/a	n/a		
	53	WQS for nutrients or Nutrient Criteria Plan in place (13 States)	IV.3	25 states 2008	n/a	N	n/a		
	54	Cumulative # TMDLs completed through FY 2003 (10,807 total)	IV.4		n/a	111	--		
	55	# TMDLs completed in FY 2003 (2,929 total)	IV.4		n/a	124	0		
Environmental Outcomes	56	# TMDLs completed through FY 2003 that include at least one point source WLA (5,036 total)	IV.4		n/a	--	--		
	57	% Assessed river/stream miles impaired for swimming in 2000	IV.2		--	72.1%	n/a		
	58	% Assessed lake acres impaired for swimming in 2000	IV.2		--	100.0%	n/a		
	59	# Watersheds in which at least 20% of the water segments have been assessed and, of those assessed, 80% or more are meeting WQS (440 total)	IV.2	600 2008	n/a	--	--		

Explanation of Column Headers:

Profile Section: For each measure, this column lists the section of the profile where the program area (including any additional data for the measure) is discussed.

National Data Sources: The information in these two columns is drawn from two types of sources:

(1) EPA-managed databases of record for the national water program, such as PCS, the National Assessment Database, and the National TMDL Tracking System. NPDES authorities are responsible for populating PCS with required data elements and for assuring the quality of the data. EPA is working to phase in full use of NAD and NTTs as national databases.

(2) Other tracking information maintained by EPA Headquarters for program areas such as CAFOs, CSOs, and storm water.

The [definitions document](#) accompanying this Management Report provides a detailed definition of each data element in the National Data Sources columns.

Additional Data: These columns provide additional data in cases where information from other data sources differs from information in the National Data Sources column for reasons such as different timing of the data "snapshot." Additional data should generally adhere to the same narrative definitions as data in the National Data Sources, and should be derived using similar processes and criteria. Our goal is to work with the States on these discrepancies to ensure consistent and accurate reporting. A State contact is available who can respond to queries. The profiles discuss each additional data element.

State Activities: Information in these columns reflects activities conducted by the State program. (Shaded cells in these columns indicate that the work may not be entirely the State's responsibility, but a breakdown of the data into EPA and State responsibilities is unavailable.)

EPA Activities: Information in these columns reflects activities conducted by the EPA Region within the State.