



Permitting for Environmental Results (PER)

NPDES Profile: Maine and Indian Country

PROGRAM RESPONSIBILITY

State of Maine: NPDES authority for base program, general permitting, federal facilities, pretreatment

EPA Region 1: NPDES authority for biosolids

EPA Region 1: NPDES authority for all facilities in Indian Country

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 Anita Nibbs or Brian Kavanah, Maine Department of Environmental Protection, at (207) 287-7700 or Roger Janson, EPA Region 1, at (617) 918-1621.

Section I. Program Administration

1. Resources and Overall Program Management

The State of Maine:

Maine's NPDES program, referred to as the Maine Pollutant Discharge Elimination System (MEPDES) program, is administered by the Division of Water Resource Regulation within the Bureau of Land and Water Quality of the Maine Department of Environmental Protection (MEDEP). The program received partial authorization in January 2001. Full authorization occurred in October 2003 after EPA determined the extent to which it would retain authority over certain discharges on Tribal lands. Currently, EPA Region 1 retains responsibility for issuing NPDES permits for 2 facilities on Tribal lands and for 12 facilities discharging into ocean waters consistent with the requirements of section 301(h) of the Clean Water Act (section 301(h) provides for a waiver from secondary treatment requirements). All 14 facilities are minor facilities covered by individual permits.¹

Maine budgeted \$2,324,000 (July 1, 2003, to June 30, 2004) and dedicated the equivalent of 27.25 full-time equivalent (FTE) employees to administer the core MEPDES program, which includes administration, permitting pretreatment, compliance inspection, enforcement, water quality evaluation, data management, and stormwater control. Other MEDEP program areas provide additional support to the MEPDES program, including TMDLs, water quality monitoring, and information services. MEDEP continues to maintain a staffing level adequate to carry out the NPDES program as authorized.

¹ The National Data Sources column of the Management Report, measure #2, shows only two minor facilities covered by EPA-issued permits. The facilities discharging into ocean waters were not included on a list of EPA-issued permits provided by the Region for use in developing the backlog report, which is the national data source for this measure.

Funding sources for the program are federal (40%) State (35%) and permit fees (25%). As a result of State budget shortfalls, one permit writer position was scheduled for elimination in July 2004. MEDEP will likely request the Maine legislature to approve a fee increase in 2005 to offset the rising costs in the program associated with employee compensation and benefits.

A variety of training opportunities are offered to all program staff. Newer employees receive on-the-job training, mentor with other staff, and have personnel development plans for developing necessary job skills. MEDEP supports staff attendance at technical conferences and, when available, the EPA Permit Writers' Course. At the end of March 2004, MEDEP sent four permit staff members to the Basic Permit Writers' Course sponsored by the Region. As a result of these training opportunities, all permit staff having received basic permit writing training. Also, MEDEP fully supports individual development and reimburses tuition costs for continuing education. MEDEP intends to maintain a fully trained staff at all times.

MEPDES Permit Universe:

- 87 major facilities / 267 minor facilities with individual permits (354 Total)
- 16 minor facilities covered by general permits
- 74 major permits current (85.1% current)
- 190 minor individual permits current and all general permits current (72.8% of all minor permits current)

This universe includes only discharges subject to Clean Water Act NPDES permit authority. Under Maine law, the Division of Water Resource Regulation also permits discharges that are not subject to NPDES requirements (subsurface and surface [spray irrigation] discharges). As a result, MEDEP's wastewater permitting program administers a total of 402 permits, or wastewater discharge licenses. Prior to receiving authorization to administer the NPDES program, MEDEP issued wastewater discharge licenses to NPDES facilities as well as for non-NPDES discharges. Thus, any facility with an NPDES permit also received a Maine wastewater discharge license. The licenses issued to NPDES facilities contained requirements that were consistent with the requirements in the facility's NPDES permit. Based on a comparative data review conducted in early June 2004, 77% of Maine's wastewater discharge permits (licenses) were current, while the Permit Compliance System (PCS) reported that 71% of the NPDES permits were current. The primary reason for this difference is the fact that the non-NPDES wastewater discharge licenses are included in Maine's permitting universe, as well as the fact that some of the dischargers with expired NPDES permits have current Maine wastewater discharge licenses. MEDEP is prioritizing permit issuance based on the expiration date of the Maine wastewater discharge license. MEDEP intends to reduce its backlog to no more than 5 percent by the end of calendar year 2004. It further hopes to nearly eliminate all backlogs by the end of the first 5-year period following authorization (January 2006).

2. State Program Assistance

EPA Region 1:

Maine is the most recently authorized State in the Region. The initial authorization occurred in January 2001 and included the base program, general permitting, federal facilities, and pretreatment. Full authorization occurred in October 2003 after EPA determined the extent to which it would retain authority over certain discharges on Tribal lands. The Region's assistance to the State at this point consists primarily of providing training and permit-specific assistance as requested. The Region also works with Maine's program staff to implement TMDLs that involve interstate issues.

3. EPA Activities in Indian Country

The Region has worked with, and will continue to work with, the federally recognized Tribes to ensure that EPA is acting consistently with the trust responsibility as the State moves forward with implementation of the NPDES program. This coordination will ensure that the Tribes have input into permit issues that might affect their Tribal lands and cultural resources. The Region will conduct these activities through the exercise of program oversight responsibilities, working closely with all affected interests. In addition, the Region has direct issuance authority for two permits regulating discharges on Tribal territories. These permits will be developed with input from the Tribes.

4. Legal Authorities

EPA is conducting a comprehensive review of the State's legal authorities. This review has not yet been completed. As a result, EPA is reserving this section of the profile; when the legal reviews are complete, EPA will update profiles to include the results of the reviews.

5. Public Participation

An evaluation of the State's legal authorities regarding public participation will be included in the legal authority review. As noted above, the legal authority review section of this profile is reserved pending completion of the legal authority review.

The State of Maine:

Maine's public participation policy is specified in State law and regulation. Opportunity for public involvement is provided throughout the MEPDES permitting process. For the MEPDES program, the typical implementation of the statutory and regulatory requirements is as follows:

- Applicants are responsible for publishing a public notice of their application at the time it is filed with MEDEP.
- For a proposed new wastewater discharge of more than 25,000 gallons per day, an applicant must conduct a public information meeting before submitting an application to MEDEP.
- At the time an application is filed with MEDEP, a copy must be provided to the local municipal office and notice provided to all abutters by certified mail.

- If MEDEP receives a request for a public hearing, a decision is made case by case, based on the facts.
- If MEDEP receives comments on an application, the commenter will be added to a list of interested parties and receive a copy of the draft permit and fact sheet.
- A proposed draft permit and fact sheet is sent to all interested parties, including a variety of State and federal agencies, for a 30-day comment period.
- Depending on the nature of the comments received, MEDEP might initiate further discussions with the commenter in writing or in meetings.
- The final permit and fact sheet, including a response to comments section, is mailed to all interested parties with appeal procedures attached.

Maine law provides for public notice and a 30-day comment period for proposed enforcement settlements for discharges regulated by the Clean Water Act. In addition, settlement of enforcement actions through administrative consent agreements and judicial consent decrees trigger the public notice and comment requirement.

For MEDEP, the public is defined in the regulation (chapter 2 of the Rules Concerning the Processing of Applications) under the definition of “person,” which means any individual; partnership; corporation; federal, State, or local government entity; association; or public or private organization of any character; except the agency conducting the proceeding.

Permit records, including fact sheets, permits, enforcement actions, and correspondence, are considered public documents and are stored in MEDEP’s central files in Augusta, Maine, for MEDEP’s use and for public viewing. Maine law provides for limited confidentiality of certain records that are entitled to protection, such as trade secrets.

Beyond the legal requirements, MEDEP strives to include the public as an integral part of the MEPDES process. MEDEP often involves stakeholder groups consisting of a wide range of interested parties, including environmental advocacy groups, Maine Tribes, and municipal officials, in the development of TMDLs, draft rules, proposed statutory changes, and proposed changes in fee schedules.

Maine maintains a Web site for access to MEPDES program information, events, and data: <http://www.maine.gov/dep/blwq>. The Web site provides a link to the Regional EPA Web site, which posts final NPDES permits and fact sheets. At present, 13 of the most recently issued permits are available (<http://www.epa.gov/region1/npdes/me.html>).

6. Permit Issuance Management Strategy

The State of Maine:

MEDEP was recently authorized to administer components of the NPDES program, and received the program with a 54% permit backlog. The State has made progress in reducing this backlog to 25% (as of July 9, 2004) and has embarked on an aggressive schedule to reduce the permit backlog to less than 5%

by December 2004. To accomplish this goal, MEDEP has assigned a permit writer to each permit that is scheduled to be issued by December 2004. Managers and staff meet regularly to track progress and resolve issues that arise during permit development.

At initial program authorization (January 2001), it was the State’s intent to reduce the backlog to no more than 10% by the end of the first 5-year permit cycle. The State currently is ahead of this schedule (see above). This goal includes those permits that have been expired for more than 2 years. The Region and State will continue to monitor permit issuance rates and, where and when necessary, make adjustments to maintain progress toward achieving the goal.

EPA also is making progress in ensuring that the permits it is responsible for (12 facilities with 301(h) waivers and two Tribal facilities) are reissued in a timely manner. At present, 78.5%, or 11 of the 12 facilities under Clean Water Act section 301(h) waivers, are current. The last of the facilities with section 301(h) waivers, Squirrel Island, is considering eliminating its discharge and connecting to the Southport facility. One of the Tribal permits is current. The other expired recently (September 30, 2004) and is not yet considered backlogged because there is a 180-day grace period.²

Table 1: Percentage of Facilities Covered by Current Permits in Maine

	2000	Nat'l Avg.	2001	Nat'l Avg.	2002	Nat'l Avg.	2003	Nat'l Avg.
Major Facilities	80.9%	74%	72.4%	76%	66.7%	83%	78.2%	84%
Minor Facilities Covered by Individual Permits	34.8%	69%	43.5%	73%	51.8%	79%	61.8%	81%
Minor Facilities Covered by Individual or Non-stormwater General Permits	N/A	N/A	N/A	N/A	54%	85%	64%	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.)

7. Data Management

The State of Maine:

MEDEP uses PCS as a principal tool to manage the MEPDES program. MEDEP personnel enter information into the national PCS database; the data are extracted twice weekly and transferred to a State system. In addition to PCS, MEDEP also is involved in a multimedia data integration project using the State of South Carolina’s Environmental Facility Information System (EFIS). EFIS will be upgraded to include water applications, permitting, monitoring, compliance, and enforcement data. MEDEP also has developed an internal Water Compliance System (WCS) database to track compliance status and

² The National Data Sources column of the Management Report, measure #20, shows 100% of EPA-issued permits as current because the facilities with section 301(h) waivers were not included in the universe. (See also measure #2 and section I.1.)

activities at licensed facilities. Also, the WCS is used to track concentrated pretreatment, sanitary sewer overflows (SSOs), combined sewer overflows (CSOs), and the one existing designated concentrated animal feeding operation (CAFO). The WCS system provides desktop access to a wide variety of facility information such as licensing schedules, inspection reports, compliance status, and PCS links. WCS also allows entry of a large range of facility activities and acts as an electronic notebook for each facility. MEDEP developed WCS as a means of tracking compliance-related information; this function will ultimately be assumed by a module in EFIS. In addition, EFIS will be able to connect to the data so that multimedia data can be accessed. MEDEP is also implementing an electronic Discharge Monitoring Report (DMR) system. This project will enable MEDEP to receive data electronically from facilities currently submitting monthly reports on paper.

MEDEP is preparing for PCS modernization efforts by staying as involved as possible in the process. MEDEP's PCS coordinator attends the national PCS meetings and shares information regarding PCS modernization and other topics with MEDEP staff, including the Computer Services Unit, to allow for adequate planning.

Approximately 75% of the facilities (98% of major facilities and 68% of minor facilities) have facility latitude/longitude data in PCS. These data are from an effort that occurred several years ago. There are relatively few pipe-level latitude/longitude data in PCS, but the Region understands that MEDEP has begun to enter more latitude/longitude data.

Quality assurance/quality control (QA/QC) procedures for data include examination of any differences between data in the State's system and PCS. If a data point is found to be inaccurate, the State makes the correction in the mainframe so that the State system will receive the corrected value during the next download. With respect to DMR data, MEDEP follows standard operating procedures on DMR reviews and data QA/QC. This includes routine reviews of PCS data for accuracy. Data are corrected as necessary. The State also conducts an annual inventory of permits by preparing a list of active, new, and retired permits. Key program staff review the list for accuracy and a final list is distributed to all water program staff.

At present, Maine has one FTE staff member devoted to coding all permits and entering all DMR data into PCS. Maine reports that it is up-to-date in coding permits. The majority of Maine facilities that are listed in significant noncompliance are the result of data entry problems, rather than the result of effluent limit violations or schedule violations. An investment in additional PCS resources and/or training could be necessary to resolve the data discrepancies that have contributed to Maine's reported rate of significant noncompliance.

The State tracks stormwater construction permits using its land permitting database (an Oracle database) and tracks other municipal stormwater permitting information using Excel and Asist.

Data for CAFO operations are managed by both MEDEP and the Maine Department of Agriculture (DOA). Once CAFO permits are issued, MEDEP uses PCS to manage data from submitted DMRs. The DOA plans to track and review inspection reports and nutrient management plans.

Section II. Program Implementation

1. Permit Quality

The State of Maine:

All MEPDES permits go through a comprehensive internal review process at the preliminary draft and proposed draft stages to identify issues and ensure that all necessary water program requirements are adequately addressed. Formal reviews are conducted by enforcement, compliance, water quality, combined sewer overflow (CSO), and pretreatment staff as needed. A final permit is not issued until each section has approved it and identified issues are addressed. The intensive internal review process conducted by MEDEP provides valuable on-the-job training for permit writers as well as ensuring quality permits. MEDEP believes that on-the-job training and participation in other training opportunities ensure that permit writers are well trained and develop the necessary skills to write high-quality permits.

In addition to the comprehensive internal review, MEDEP follows other standardized procedures to ensure permit quality and improve program efficiency. For selected facilities, MEDEP conducts comprehensive file audits to evaluate facility-related information, including previous permit requirements, compliance data, toxics, enforcement history, inspection reports, and water quality data, to identify areas of concern for the permit writer. In addition, MEDEP uses industry sector templates, which help to ensure that all the issues specific to an industry sector are carefully considered and standardized before the individual permit is written.

The MEPDES permit fact sheets are generally very clear and contain a detailed history of each facility's permitting and compliance history. Fact sheets also contain detailed information on wastewater treatment processes and facility operations.

MEDEP adheres to QA/QC procedures to help ensure that the data used in the development of effluent limits are of high quality. The State collects all ambient water quality data in accordance with quality assurance project plans (QAPPs), many of which are approved by EPA. MEDEP participates in the Discharge Monitoring Report Quality Assurance (DMRQA) program to help ensure that data collected by facilities are of high quality. MEDEP also plans to revise the operator certification regulation to include laboratory training re-certification requirements.

MEDEP implements a Whole Effluent Toxicity (WET) program consistent with State regulations for the Surface Water Toxics Control Program. This program is generally consistent with federal regulations for WET and, in some areas, is more restrictive. MEDEP is revising this regulation and is working with EPA to ensure that the final rule is fully consistent with federal requirements for WET. MEPDES permits include WET testing, and results are reviewed regularly to determine compliance with water quality standards. All permits that are subject to State regulations, including Surface Water Toxics Control Program, undergo a statistical evaluation of the last 60 months of data to determine whether there are any exceedances or a reasonable potential to cause or contribute to acute or chronic toxicity. If the data indicate potential acute or chronic toxicity, a water quality-based limit is established in the permit. Following adoption of the Surface Water Toxics Program Rule in 1994, MEDEP conducted

extensive training and outreach to permitted facilities on implementation of the program. Providing information and outreach continues as needed, as new facilities are permitted, or as facility operators are replaced.

EPA Region 1:

EPA conducts both random and targeted reviews of MEPDES permits. EPA compliance and water program staff conduct random reviews of preliminary draft permits. If issues arise, EPA targets permits with similar issues for review. EPA reviewed 35 MEPDES permits in 2003. If issues are identified during EPA's review, comments are provided to State permit writers. MEDEP and EPA are working to address issues concerning CSO compliance schedules that resulted from past program reviews.

2. Pretreatment

The State of Maine:

Maine's program for regulating industrial users of publicly owned treatment works (POTWs) includes oversight of approved pretreatment programs administered by POTW jurisdictions and administration of a State pretreatment program for POTWs that have yet to receive program approval. According to Region 1 and MEDEP records, Maine's approved pretreatment programs consist of 107 significant industrial users (SIUs), including 34 categorical industrial users (CIUs).³ However, there are five additional SIUs (that were listed as being in the permit process) that are located in non-approved pretreatment programs. Therefore, the total number of SIUs in Maine is 112. The State does not, and will not, issue these five SIUs control mechanisms, but since the SIUs submit monitoring reports in accordance with 40 CFR 403 requirements at least twice per year, they are considered to have a control mechanism in place. The two SIUs that were listed as "newly identified" are included in the total and have been issued control mechanisms. Currently, 100% of all 112 SIUs are covered by a control mechanism. There are no plans to require any unapproved POTWs to develop an approved pretreatment program at this time. Pretreatment data from SIUs in non-approved programs is managed through the submission of semiannual industrial monitoring reports, and for the approved programs via the submission of POTW annual reports.

Maine conducts regular audits of the 14 approved programs at a rate of two or three per year. Audits are scheduled on a five-year cycle. Deficiencies are identified and schedules are set to address issues. Progress and compliance is tracked in the MEDEP's database. EPA's role in Maine generally consists of providing program assistance to ensure that the program passes successfully from startup to full implementation at which point the Region will assume an oversight role consistent with that practiced in other authorized States.

3. Concentrated Animal Feeding Operations

The State of Maine:

MEDEP estimates that there are four to six operations that will be covered by the CAFO rule. All of these operations currently have nutrient management plans as required by State law. In 2004, MEDEP

³ The National Data Sources column of the Management Report, measure #9, shows 113 SIUs discharging to pretreatment programs, which is based on PCS data as of June 12, 2004. The 107 SIUs mentioned above is a number based on data as of November 2004.

and the DOA will perform joint inspections to confirm the number of CAFOs in Maine. The State has plans to inspect 10 facilities to determine whether they meet the definition of a CAFO and to determine the size classification of small or medium CAFOs. In addition, MEDEP and the DOA have committed to conduct joint inspections of all CAFO facilities by the end of 2004.

MEDEP and the DOA are working cooperatively to regulate CAFOs. Permitting of CAFOs is required by State law, and the DOA has issued provisional livestock operations permits to all operations that qualify as CAFOs. A comprehensive comparison between the Maine Nutrient Management Rules and the CAFO regulations has yet to be completed. The DOA's Compliance Office reviews the nutrient management plans for all CAFOs as part of the process for issuing livestock operations permits.

MEDEP has not issued MEPDES CAFO permits yet but plans to complete these in 2004 and 2005. At present, MEDEP has completed a template of the MEPDES CAFO permit that includes the nine minimum standards in EPA's final CAFO rule. MEDEP plans to issue individual permits to all of its CAFOs; the DOA will continue to administer the livestock operations permit program following issuance of the CAFO permits. Once CAFO permits are issued, MEDEP will use PCS to manage data from submitted DMRs. The DOA plans to track and review inspection reports and nutrient management plans.

4. Stormwater

The State of Maine:

MEDEP has general permits for large and small construction discharges and for Phase II municipal separate storm sewer system (MS4) discharges. There are no Phase I MS4 dischargers in the State. Industrial activities are covered under EPA's Multi-Sector General Permit until 2005, at which time the State intends to issue its own general permit for discharges formerly covered by EPA's general permit. EPA Region 1 is the lead for conducting compliance efforts for the Multi-Sector General Permit in Maine. On July 20, 2004, Maine reissued (for a 2-year period) the general permit for construction activities after the previous general permit expired on July 1, 2004. Notices of intent are tracked electronically for all construction and MS4 permits, and are available to the public on the stormwater page of MEDEP's Web site. MEDEP conducts inspections of permitted facilities to evaluate compliance with permit conditions (see section III.3). EPA's role in Maine's stormwater program is to provide outreach and education support, and to monitor activity under the current Multi-Sector General Permit.

5. Combined Sewer Overflows/Sanitary Sewer Overflows

The State of Maine:

Maine has 43 CSO communities. At present, there are 40 MEPDES permits that address CSOs in 41 communities (2 communities are covered by 1 permit).⁴ MEDEP is developing permits for the remaining two CSO communities. MEPDES permits and enforceable mechanisms that contain CSO requirements conform to EPA's 1994 CSO Control Policy. Of the 43 communities, 41 have enforceable mechanisms to implement the nine minimum controls and all have implemented the controls. There are 31 CSO

⁴ This differs from the 39 CSO permittees shown in the National Data Sources column of the Management Report, measure #10, because one permit was issued after the data for this measure were gathered.

communities that have developed long-term control plans (LTCPs).⁵ Of these, 30 have been approved and 1 is under review.

CSO abatement implementation has begun in all communities with approved LTCPs. Since implementation of the CSO program, statewide CSO volumes and the number of CSO events have decreased by 50%. The main barrier to implementation of the abatement projects identified in the LTCPs is inadequate funding. CSO abatement is very costly, especially for the smaller communities that make up the majority of Maine towns. At present, there are no federal grant funds available and only a limited amount of State grant funds to administer these abatement projects.

As one of the nine minimum controls required in MEPDES permits, permittees whose CSO discharges affect beaches or shellfishing areas are required to notify local health officials and/or the Department of Marine Resources of CSO occurrences. In addition, CSO communities' permits require them to identify all CSO locations by posting a "Wet Weather Sewage Discharge" sign at all of their CSOs.

MEDEP does not permit any sanitary sewer overflow (SSO) discharges and all MEDEP-issued NPDES permits contain standard conditions referencing State regulations requiring that all bypasses be orally reported to MEDEP within 24 hours, followed by a written report within 5 days. MEDEP's standard permit conditions also require that written notification provide, among other things, information regarding the date, location, and cause of the bypass; duration and estimated volume; actions taken to eliminate the bypass and to mitigate its impacts; and measures taken to prevent recurrence of the bypass. A separate section of the report also includes a checklist of the State, local, and federal agencies (if any) that must be notified of the bypass. All bypasses of the collection system, regardless of the volume and including those that do not reach waters of the United States, must be reported to MEDEP, which tracks the information in an electronic database. The Region will work with MEDEP to develop the universe of SSOs of concern by April 2005. MEDEP's tracking of SSOs and dry-weather overflows (DWOs) indicates that the number of SSOs and DWOs reported has steadily increased from 10 in 2000 to 50 in 2004 (as of November 2004).

MEDEP does not issue permits to satellite communities and relies on citizen complaints to identify SSOs in satellite communities. MEDEP prioritizes SSOs for enforcement response based on patterns of noncompliance (i.e., repeat SSOs at the same locations or under similar circumstances). Finally, the State's permits do not require the development of a capacity, management, operation, and maintenance program for collection systems, but include a general requirement that all wastewater treatment facilities be properly operated and maintained.

6. Biosolids

The State of Maine:

Maine does not have authority to administer the federal biosolids program. However, MEDEP administers a State biosolids program that has standards that in many ways are more stringent than

⁵ These 31 permittees correspond to the 79% (31 out of 39) of CSO permittees required to develop LTCPs shown in the Management Report, measure #25. The remaining permits cover small communities that are planning to separate combined sewers and are therefore not required to submit formal LTCPs. Maine and EPA agree that all 40 permittees have LTCP or equivalent requirements.

EPA's. Individual State permits are issued to regulated activities, including land application sites and compost facilities. Approximately 60% to 70% of the biosolids are beneficially reused. Maine is not seeking authorization for this program.

EPA Region 1:

Maine's permits require compliance with the technical standards in section 405(d) of the Clean Water Act. This is ascertained through review of draft permits. The Regional protocol is to defer to the State's management of biosolids by application of State requirements, which, as noted above, are more stringent than current EPA requirements.

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.

1. Enforcement Program

The State of Maine:

MEDEP does a good job of addressing instances of significant noncompliance due to effluent violations. Maine can improve its response to facilities that are listed in significant noncompliance because of data issues that have contributed to schedule and reporting violations. The Region has been working with Maine to resolve the data issues that have inflated Maine's rates of significant noncompliance over the past several years. For instance, Regional staff reviewed the rates for the January through March 2003 (the calendar quarter). Of the 18 facilities listed in significant noncompliance for the quarter, 15 were in significant noncompliance due to data problems and only three were in significant noncompliance as a result of effluent or schedule violations. Regional PCS staff have met with the MEDEP PCS staff to provide additional hands-on training. In addition, the MEDEP has implemented steps to address data issues more quickly.

Penalty amounts collected through MEDEP's enforcement actions vary from year to year depending on the circumstances of cases. For example, fiscal year (FY) 2000 penalties totaled \$924,188 (five formal enforcement actions). In FY2003 penalties totaled \$53,970 (five formal enforcement actions). Relatively higher assessed penalty amounts in FY2000 and FY2001 reflect a few larger cases brought in those years.

MEDEP has a compliance policy applicable to all programs, and a more specific policy applicable to the MEPDES program. The policies set forth options and escalating responses based on the seriousness of various factors. The MEPDES policy describes the roles and responsibilities of staff, and sets forth review criteria for different types of violations. All of these factors are combined in a matrix to allow for selection of response options for violations. The MEPDES penalty policy also specifies that economic benefit gained by a violator should be recovered and recommends that the Economics Benefits Model (BEN) or an equivalent be used. The Region's water enforcement office has not conducted a recent review of case files to evaluate specific penalty calculations.

MEDEP holds monthly noncompliance review meetings to discuss violations and to determine appropriate courses of actions. EPA is invited to these meetings. Quarterly meetings are held with EPA staff to review the quarterly noncompliance report and enforcement issues.

MEDEP ensures that enforcement actions are timely and appropriate through use of its compliance policies, monthly noncompliance review meetings and quarterly meetings with EPA staff. The most

commonly used formal enforcement tool is the administrative consent agreement. Nearly all consent agreements, as well as other enforcement vehicles, include payment of a monetary penalty. MEDEP also has a penalty policy that sets base penalties considering the type and magnitude of violations. The base amount is adjusted considering the environmental impact or risk, the cause or circumstances, and corrective actions or mitigation. The calculated penalty may be adjusted upward if the violator has had a record of previous violations within the past 5 years. Economic benefit also is included in the penalty.

MEDEP monitors timetables and interim milestones required by enforceable documents in PCS. Enforcement staff are responsible for monitoring implementation of enforcement actions.

2. Record Keeping and Reporting

The State of Maine:

MEDEP uses PCS to manage its MEPDES program. MEDEP personnel enter information into the national PCS database; the data are extracted twice weekly and transferred to a State system. In addition to PCS, MEDEP is also involved in a multimedia data integration project using the State of South Carolina's Environmental Facility Information System (EFIS). EFIS will be upgraded to include water applications, permitting, monitoring, compliance, and enforcement data. MEDEP has also developed an internal Water Compliance System (WCS) database to track compliance status and activities at licensed facilities. The WCS system provides desktop access to a wide variety of facility information, such as licensing schedules, inspection reports, compliance status, and PCS links. WCS also allows entry of a large range of facility activities and acts as an electronic notebook for each facility. MEDEP developed WCS to provide a means of tracking compliance-related information; this function will ultimately be assumed by a module in EFIS. EFIS will be able to connect to the data so that multimedia data can be accessed. MEDEP is also implementing an electronic DMR system. This project will enable MEDEP to receive data electronically from facilities currently submitting monthly DMRs on paper.

3. Inspections

The State of Maine:

MEDEP's goal is to inspect all major facilities annually and to inspect minor facilities every other year. MEDEP performs different types of inspections depending on the compliance status of the facility. Inspection frequency is based on the size of and the risk posed by the discharge. Inspections are otherwise scheduled in response to problems, to increase field presence or to support enforcement efforts. File reviews are generally conducted at permit renewal. Inspectors review DMRs, daily logs, and laboratory analysis sheets. For general permits, MEDEP has the following inspection goals: (1) once every 5 years for permitted industrial stormwater facilities; (2) once every stormwater construction project; (3) once a year for MS4 facilities; and (4) twice a year for aquaculture facilities.

The number of compliance evaluation inspections (CEIs) and compliance sampling inspections (CSIs) reported in PCS has fallen. In FY2000, coverage of major facilities was 100%; in 2001, 84%; in 2002, 78%; and in 2003, 76%. During this time, minor inspection rates have remained relatively constant at about 62%. Further, MEDEP conducts a significant number of reconnaissance inspections, which upon evaluation may, with little if any modification in scope, constitute CEIs. The Region will work to resolve this issue with Maine by the end of 2004.

MEDEP supports EPA inspection initiatives, such as statistically valid inspections.

4. Compliance Assistance

The State of Maine:

Maine's Innovation and Assistance Office reports directly to the commissioner and is responsible for work in three broad areas: (1) pollution prevention assistance, (2) small business assistance, and (3) Maine's toxics and hazardous waste reduction program. The State has a "rapid response" small business compliance incentive policy. Under the policy, facilities sign an agreement with the State and allow a multimedia team to go on site and do an assessment. When such an assessment is done, the State takes no enforcement, except for grievous violations, if violations are resolved within 90 days, or within 1 year if the facility uses a pollution prevention method to return to compliance. This onsite assessment is done in coordination with the State's enforcement program.

Maine has an active leadership program called "Step Up," which recognizes top performers and encourages sustainable production. Maine's commissioner has emphasized the need to encourage innovation and sustainability.

MEDEP provides a range of compliance assistance to the regulated community, including written materials, training and workshops, and on-site visits. MEDEP also provides municipal technical assistance and pollution prevention assistance (primarily to the pulp and paper industry). MEDEP's managers participate on the Compliance Assistance Panel stakeholder group, which oversees regulatory technical assistance to small facilities, and MEDEP staff participate on the Joint Environmental Training Coordinating Committee, which provides training to help wastewater treatment plants comply with environmental requirements.

Although MEDEP has not developed a methodology to evaluate the outcomes of compliance assistance, MEDEP does measure total annual biochemical oxygen demand and total suspended solids discharges by various sectors, such as municipal treatment facilities and pulp and paper mills.

Section IV. Related Water Programs and Environmental Outcomes

1. Monitoring

The State of Maine:

Maine has two types of assessments. The “monitored” assessments have a high level of confidence associated with decisions on whether water quality standards are attained and designated uses are supported. Generally these are based on current monitoring data of known quality. The “evaluated” assessments have a lower level of confidence associated with them, and can be based on older monitoring data, a high degree of “best professional judgment,” or an extrapolation of information from one water body to other water bodies in the same assessment unit. In 2002 Maine assessed 100% of its river/stream miles, and 45% of those miles were assessed with current monitoring data. Because many of Maine’s assessments have not been based on current and/or direct monitoring of assessed water bodies, much of the data lack a high degree of representativeness or confidence.

The following table compares total “assessed” waters with the subset of “monitored” waters from 1992 and 2000. There should be an increase in monitored waters in future years because the State is participating in the State and regional probabilistic wadeable stream and lake/pond studies, and the National Coastal Assessment of Estuaries.

Table 2: Waters Assessed and Monitored, 1992 and 2000

Year	Rivers/Streams	Lakes/Ponds	Estuaries
2000	31,171 miles assessed (100% of total miles)	954,479 acres assessed (97% of total acres)	2,782.9 sq. miles assessed (100% of total sq. miles)
	14,150 miles monitored (45% of total miles)	597,916 acres monitored (61% of total acres)	609.5 sq. miles monitored (22% of total sq. miles)
1992	31,672 miles assessed (100% of total miles)	958,389 acres assessed (97% of total acres)	1,633 sq. miles assessed (100% of total sq. miles)
	10,983 miles monitored (35% of total miles)	757,660 acres monitored (77% of total acres)	204 sq. miles monitored (12% of total sq. miles)

Maine is drafting a new monitoring strategy. EPA has been coordinating with MEDEP as the strategy is developed. MEDEP is aware of the 10 elements included in Elements of a State Water Quality Monitoring Program guidance, which was sent out in March 2003 (EPA document #841-B-03-003). Maine is expected to have a completed strategy by the end of FY2005. The strategy is expected to be consistent with the Elements guidance because that is what Region I and the States have discussed as the foundation for each of their strategies. The Region’s tools for review of the strategy and each State’s monitoring program are based on the Elements guidance.

MEDEP is aware of the benefits of statistics-based monitoring design, but would need additional funding to incorporate this approach into its monitoring program. Currently, water quality monitoring is

conducted on a rotating-basin schedule. This approach allows MEDEP to systematically collect water quality data in advance of permit issuance or reissuance in order to develop appropriate wasteload allocations. The Region continues to support Maine’s monitoring approach, particularly the emphasis on obtaining appropriate data prior to permit issuance within a particular basin.

2. Environmental Outcomes

The State of Maine:

Maine places all its fresh waters in an impaired category because of statewide mercury advisories, supported by a combination of excellent probabilistic and targeted studies.

For the 2000 reporting cycle, the last cycle for which there are detailed statewide assessment summaries about individual uses, the designated use data are as shown below:

Table 3: Support for Aquatic Life and Primary Contact Recreation Uses

Water Body Type	Designated Use	Fully Supporting	Impaired	% of Total Waters Assessed for Use (% Monitored Assessments)
Rivers and Streams	Aquatic Life	31,421 miles	331 miles	100% of 31,752 miles (32%)
	Primary Contact Recreation	31,576 miles	176 miles	100% (32%)
Lakes and Ponds	Aquatic Life	887,992 acres	99,291 acres	100% of 987,283 (61%)
	Primary Recreation	950,419 acres	36,864 acres	100% (61%)
Estuaries	Aquatic Life	2,851.1 sq. miles	0.5 sq. miles	~100% of 2,851.6 (22%)
	Recreation	2,845.3 sq. miles	6.3 sq. miles	~100% (22%)

The number of waters that are attaining water quality standards is influenced by the mercury impairments across Maine and other States. The following table puts this into perspective.

Table 4: Overall Attainment of Water Quality Standards

	River/Stream Miles Assessed	Lake/Pond Acres Assessed	Estuarine Square Miles Assessed
2002 Fully Supporting Water Quality Standards	96% if mercury fish advisory ignored 0% if mercury advisory included	85% if mercury fish advisory ignored 0% if mercury advisory included	89%
1992 Fully Supporting Water Quality Standards	98.5%	73%	90%

Toxics also are an environmental priority. As a result, Maine's surface water assessment of toxics (SWAT) monitoring program focuses on assessment of polychlorinated biphenyls (PCBs) and dioxin in fish tissue.

3. Water Quality Standards

The State of Maine:

As described below, Maine's water quality standards, TMDL, and MEPDES programs are fully integrated. Water quality sections that administer the water quality standards and TMDL programs review and sign off on permits before final issuance. MEDEP uses conservative assumptions when applying the water quality standards in the development of TMDLs. Wasteload allocations from TMDLs are used directly to assign discharge limits in MEPDES permits. MEDEP also employs biocriteria, based on fish and macroinvertebrate assemblages, as effects-based standards, to ensure that the complexity of multiple discharges, multiple pollutants, habitat, or other compounding factors are accounted for in determining designated use attainment. MEDEP has postponed implementation of its basin permitting plan in order to address the permit backlog. However, permits for waters on the State's list of impaired water bodies prepared under section 303(d) of the Clean Water Act are coordinated with TMDL schedules.

All permits undergo a determination of the reasonable potential for a facility's discharge to cause or contribute to a violation of water quality standards. The determination is made by evaluating available effluent data, ambient water quality data, and receiving water characteristics. If the data indicate exceedances of the standards, or a reasonable potential to exceed, water quality-based effluent limits (WQBELs) are established. MEDEP uses the Technical Support Document (T.D.) for Water Quality-Based Toxics Control as guidance for establishing WQBELs. In addition, ambient background data for the pollutant of concern are used, when available, to calculate WQBELs. MEDEP's water quality modelers review each draft permit to determine whether WQBELs are required for biochemical oxygen demand, total suspended solids, and nutrients (e.g., phosphorus) to ensure that ambient standards are met. The same approach is used for discharges to impaired streams where a TMDL is not available. MEDEP makes a "reasonable potential" determination and establishes permit limits that would prevent the facility from causing or being a major contributor to violations of water quality standards.

Maine continuously revises its water quality standards and generally does well at meeting the triennial review schedule.⁶ Maine's standards have provisions that require the Board to (1) "at least once every three years, hold public hearings for the purpose of reviewing the water quality classification system and related standards and, as appropriate, recommending changes in the standards to the Legislature" [38 Maine Revised Statutes Annotated (MRSA) 38 464(3)(B)]; and (2) "initiate classification studies and investigations" "upon petition by any person or on its own motion" [38 MRSA 464 (2)(A)]. As a result, some aspect of Maine's standards are typically revised by Maine and reviewed by EPA within a 3-year period. Because Maine's legislature has a 2-year term, water quality standard revisions are typically introduced in the first year of each new session. MEDEP has considered use attainability analyses in evaluating appropriate standards.

⁶ The National Data Sources column of the Management Report, measure #44, indicates that Maine has not completed an on-time triennial review. This is due to incomplete communication between the EPA Regional water quality standards coordinator and EPA Headquarters.

Maine already has standards for E. coli (rivers and streams) and enterococci (estuarine and marine waters). Legislation was introduced in 2004 to make the E. coli number for Class B and Class C waters consistent with EPA's recommended beach criteria. MEDEP is on track with implementing its EPA-approved nutrient criteria development plan, and is focusing on nutrient criteria for rivers and streams. At times, narrative criteria are difficult to implement because they are subject more to interpretation and challenge. Maine's water quality standards include provisions for implementation schedules.

4. Total Maximum Daily Loads

The State of Maine:

Maine is making progress in implementing TMDL schedules despite staffing and resource constraints. Maine had 162 impaired water bodies scheduled for TMDL development on the 1998 section 303(d) list of impaired water bodies. Forty TMDLs for twelve water bodies were approved by September 30, 2003. Of the 206 impaired water bodies (271 TMDLs) on Maine's 2002 section 303(d) list, approximately 20 involve point sources. However, the point source TMDLs tend to be more complex and costly to develop because of the nature of the water quality problem and the potential cost impacts on permitted facilities. When point sources are a concern in delayed TMDLs, Maine pursues voluntary pollutant reductions in advance of final TMDLs. MEDEP also forms stakeholder groups and involves permitted facilities and other key stakeholders at the beginning of complex TMDL projects. The stakeholder groups are given opportunities to provide input at important stages of the studies, which helps to maximize the use of available resources and shorten review times.

EPA Region 1:

EPA Region 1 is expending considerable effort to help States pick up the pace of TMDL development. Over the past few years, Maine has received competitive grant funding from the Region for water quality modeling technical assistance, and to build MEDEP's capacity for TMDL development. Maine has a balanced TMDL program that addresses a variety of water quality problems. TMDL priorities include point source-dominated TMDLs, nonpoint source lake TMDLs, and, more recently, nonpoint source/stormwater stream TMDLs. The Region is also working with the States on a TMDL Innovations pilot project to help expedite TMDL development for stormwater-impaired waters. The TMDL Innovations project involves the assessment of a variety of existing and potential approaches for developing TMDLs for waters impaired by stormwater with the goal of developing an approach that would allow States to complete stormwater-related TMDLs in a timely manner. MEDEP has participated in this project.

5. Safe Drinking Water Act

MEDEP coordinates its data for drinking water supplies (surface and groundwaters) through its geographic information system (GIS). Underground injection wells (Class 5) identified through the Underground Injection Control (UIC) inspection program are located using the geographical positioning system (GPS) technology and forwarded to MEDEP's GIS database. The Maine Drinking Water Program then uses this system in producing its source water assessments for public drinking water supplies. MEDEP maintains the data system, which tracks all potential sources of contamination that

appear on the State source water assessment reports (produced by the Maine Department of Human Services Drinking Water Program).

Maine's UIC staff also conduct inspections in source water areas (wellhead protection areas and surface waters). Any UIC well or floor drain discharges that may require NPDES permits are referred to the NPDES permitting program.

Upcoming opportunities to coordinate these programs include reviewing CSOs discharging to surface waters that serve as drinking water supplies. A review of water quality standards, Drinking Water Source Waters, and NPDES permitting (where applicable) is ongoing. Current activities include a confirmation of surface water intake locations on stream reaches.

Currently, NPDES permits for discharges upstream of surface drinking water supplies do not include requirements to notify downstream drinking water suppliers in the event of accidental bypasses or upsets in treatment. The Region will be working with the State to include notification requirements for at least one NPDES permit for a facility whose discharge is close enough to a municipal drinking water intake to warrant such requirements.

Section V. Other Program Highlights

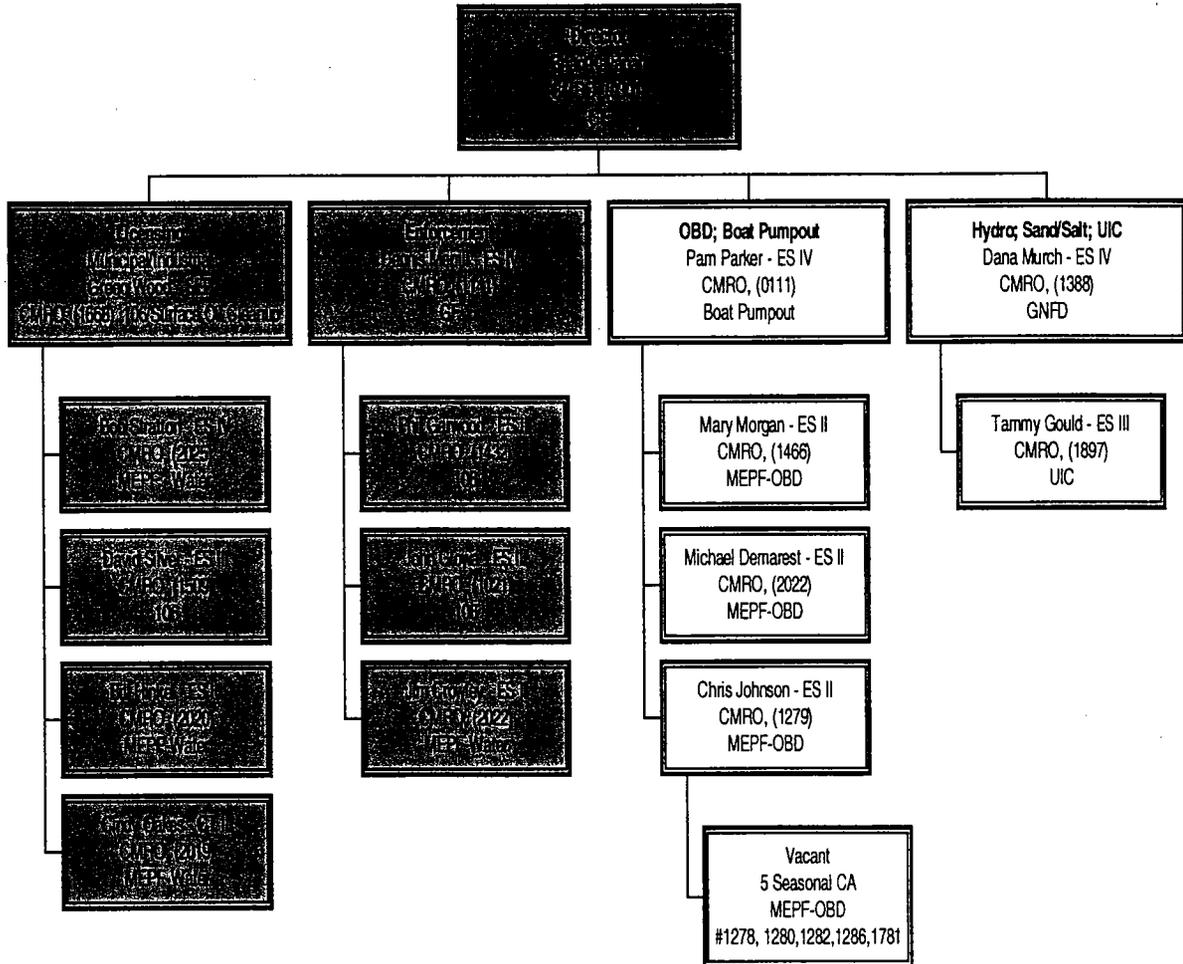
The State of Maine:

- The State is developing an electronic DMR system to allow wastewater treatment plant operators to transmit DMR data to a Web interface. The State system will include inspector review and QA/QC of all data submitted.
- The State conducts its monitoring of watersheds in 5-year cycles. The State will pursue watershed-based permitting after permit backlog is eliminated (scheduled for December 2004).

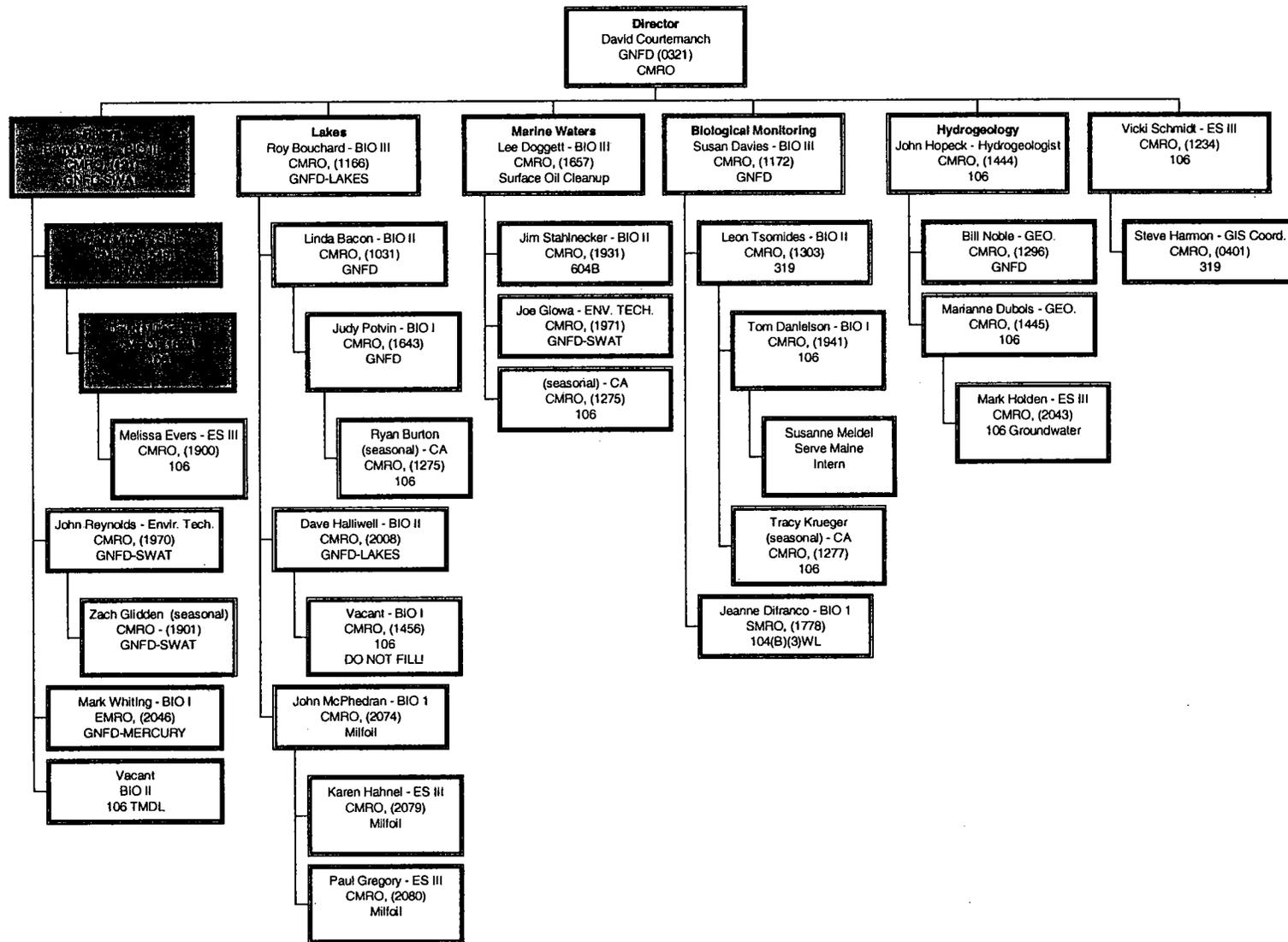
Attachment A (Y4)

Division of Water Resource Regulation

All staff are located in the Central Maine Regional Office (Augusta)

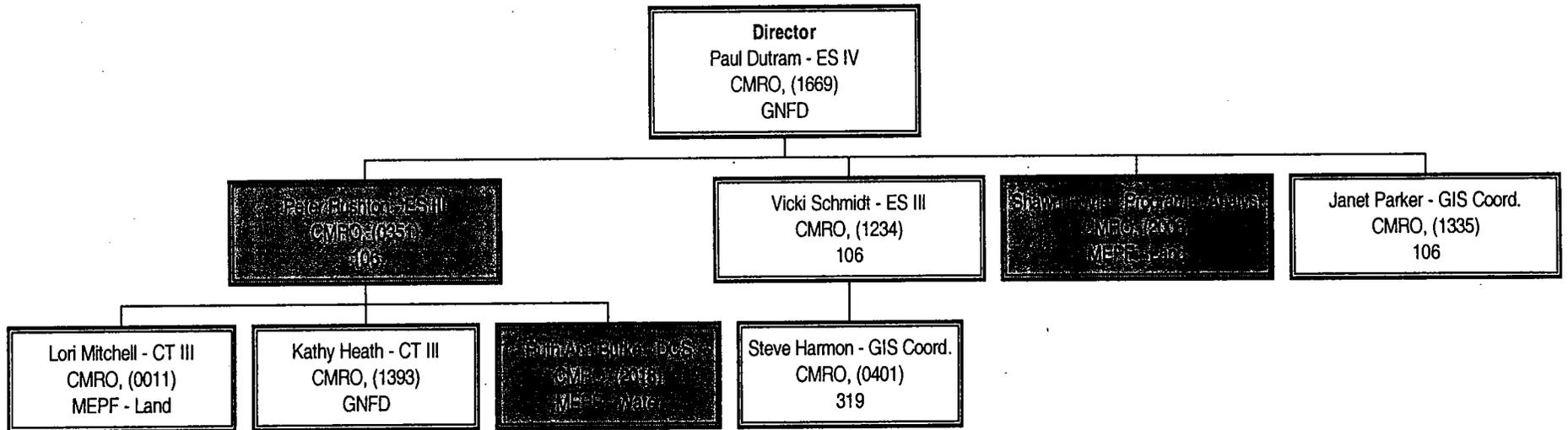


Division of Environmental Assessment, Bureau of Land and Water Quality



Attachment A (3/4)

Information Technology Unit



Attachment A (1/9)

NPDES Management Report, Fall 2004

Maine

			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	87	0		
	2	# minor facilities covered by individual permits (42,057 total)	I.1		n/a	267	2		14
	3	# minor facilities covered by non-storm water general permits (39,183 total)	I.1		n/a	16	0		
	4	# priority permits (TBD)	I.6			--	--		
	5	# pipes at facilities covered by individual permits (142,761 total)	I.7		n/a	1,085	--		
	6	# industrial facilities covered by individual permits (32,505 total)	I.1		n/a	75	134		
	7	# POTWs covered by individual permits (15,197 total)	I.1		n/a	16	115		
	8	# pretreatment programs (1,482 total)	II.2		n/a	14	--		
	9	# Significant Industrial Users (SIUs) discharging to pretreatment programs (22,158 total)	II.2		n/a	113	--	107	
	10	# Combined Sewer Overflow (CSO) permittees (831 total)	II.5		n/a	39	--	40	
	11	# CAFOs (current and est. future) (17,672 total)	II.3		n/a	6	--		
	12	# biosolids facilities (TBD '05)	II.6			--	--		
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	A, P	P		
	14	% pipes at facilities covered by individual permits w/ lat/long in PCS	I.7		46.3%	6.7%	--		
	15	State CAFO legal authority expected (mo/yr)	II.3	2005	n/a	NC	n/a		
	16	# Withdrawal petitions/legal challenges (22 total)	I.4		n/a	0	n/a		
	17	DMR data entry rate	I.7		95%	100%	--		
	18	# permit applications pending (1,011 total)	I.6		n/a	24	--		
NPDES Program Implementation	19	% major facilities covered by current permits	I.6	90%	83.7%	85.1%	n/a		
	20	% minor facilities covered by current individual or non-storm water general permits	I.6	90% 12/04	87.0%	72.8%	100.0%	92.9%	
	21	# major facilities w/permits expired >10 yrs. (56 total)	I.6		n/a	0	0		
	22	% priority permits issued as scheduled (TBD '05)	I.6	95% 2005		--	--		
	23	% pretreatment programs inspected/audited during 5 yr. inspection period	II.2		85.3%	92.9%	--		
	24	% SIUs w/control mechanisms	II.2		99.2%	100.0%	--		
	25	% of CSO permittees with long-term control plans developed or required	II.5	75% 2008	82.2%	79.0%	--		
	26	% CAFOs covered by NPDES permits	II.3		35%	0%	--		
	27	% biosolids facilities that have satisfied part 503 requirements (TBD '05)	II.6			--	--		
	28	# Phase I storm water permits issued but not current (76 total)	II.4		n/a	0	n/a		
	29	# Phase I storm water permits not yet issued (5 total)	II.4		n/a	0	n/a		
	30	Phase II storm water small MS4 permits current (Y/N/D (draft)) (35 States)	II.4	100% states 2008	n/a	Y	n/a		
	31	Phase II storm water construction permit current (Y/N/D (draft)) (49 States)	II.4	100% states 2008	n/a	Y	n/a		
NPDES Compliance Monitoring and Enforcement Response	32	% major facilities inspected	III.3		71%	70%	6%		
	33	(inspections at minors) / (total inspections at majors and minors)	III.3		76%	61%	17%		
	34	% major facilities in significant non-compliance (SNC)	III.1		20%	33%	--		
	35	% SNCs addressed by formal enforcement action (FEA)	III.1		14%	9%	--		
	36	% SNCs returned to compliance w/o FEA	III.1		70%	67%	--		
	37	# FEAs at major facilities (666 total)	III.1		n/a	1	0		
	38	# FEAs at minor facilities (1,660 total)	III.1		n/a	1	0		

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.

NPDES Management Report, Fall 2004

Maine

		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	31,752	n/a		
	40	Lake acres (27,775,301 total)	IV.2		n/a	987,283	n/a		
	41	Total # TMDLs in docket at end of FY 2003 (52,795 total)	IV.4		n/a	271	--		
	42	# TMDLs committed to in FY 2003 management agreement (2,435 total)	IV.4		n/a	18	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%	32.0%	n/a		
	48	% river/stream miles assessed for aquatic life	IV.2		22.0%	32.0%	n/a		
	49	% lake acres assessed for recreation	IV.2		49.4%	61.0%	n/a		
	50	% lake acres assessed for aquatic life	IV.2		48.5%	61.0%	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	Y	n/a		
	53	WQS for nutrients or Nutrient Criteria Plan in place (13 States)	IV.3	25 states 2008	n/a	Y	n/a		
	54	Cumulative # TMDLs completed through FY 2003 (10,807 total)	IV.4		n/a	40	--		
	55	# TMDLs completed in FY 2003 (2,929 total)	IV.4		n/a	12	0		
Environmental Outcomes	56	# TMDLs completed through FY 2003 that include at least one point source WLA (5,036 total)	IV.4		n/a	21	--		
	57	% Assessed river/stream miles impaired for swimming in 2000	IV.2		--	0.5%	n/a		
	58	% Assessed lake acres impaired for swimming in 2000	IV.2		--	3.7%	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	--	--		

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