

# Significant Non-Compliance A History Lesson

- Becky Cripe – Data Management Unit Supervisor

# Significant Non-Compliance (SNC)

- EPA Office of Enforcement and Compliance (OECA) established a National Compliance Initiative in 2019
- Reduce the national SNC baseline rate by 50% by end of FY 2022
- Reduce the national SNC baseline rate to <10% by end of FY 2023
- MoDNR goal – below the national SNC baseline rate by end of FY2024
- What is SNC?
  - Based on severity, type, and duration of violations as compared to Clean Water Act regulations
  - Typical violation can impact compliance status for 1 year but potentially longer

# Significant Non-Compliance (SNC)

Using the hierarchy below, in that order, limit to only the most significant.

Code	Status	Level	Description
S	Noncompliant	SNC/Cat. 1	Enforcement action or permit compliance schedule event violation - more than 90 days late
E	Noncompliant	SNC/Cat. 1	Effluent violations of monthly average limits
X	Noncompliant	SNC/Cat. 1	Effluent violations of non-monthly average limits
T	Noncompliant	SNC/Cat. 1	Enforcement action or permit compliance report violation > 30 days late
D	Noncompliant	SNC/Cat. 1	Reporting violation - non-receipt of DMR
N	Noncompliant	RNC	Reportable noncompliance
Q	Resolved Pending	N/A	Manually entered
P	Resolved Pending	N/A	An enforcement action has been issued, and facility compliance with the action is pending completion.
R	Resolved	N/A	The facility has returned to compliance with its permit conditions, either with or without issuance of an enforcement action.
V	Noncompliant	N/A	The facility has an effluent, DMR non-receipt, compliance schedule, permit schedule, or single-event violation but is not considered to be RNC or SNC.
C	Compliant	N/A	A compliance code that is either a manual override or automatically generated when corrected RNC is run.
Blank	Null	N/A	Not considered in violation (including RNC or SNC/Cat. 1)

# 2021 SNC Contributing Factors

- Errors in permit writing
- Modifications of expired permits
- Inaccurate reporting by facilities
- Disconnect between permit requirements between state and federal reporting systems
- Large permitting universe
- Lack of resources in Data Management Unit

# 2021 SNC Project Goals

- Resolve misinformation (bad data) in MOCWIS-NPDES data
- Increase communications with permit holders for the receipt of missing reports
- Compile organized list of permits correctly identified as in SNC (functional SNC) for use by the Compliance and Enforcement Section and Regional Offices
- Reduce MO SNC rate and contribute to the National Compliance Initiative
- Develop procedures to quality assure and quality control data moving forward

# The SNC Toolkit



- A.K.A. MOCWIS, the information system housing data related to water quality for the state of MO



Public-facing information system used by DEQ for the electronic submission of reports by permit holders



The information system utilized by the U.S. EPA for processing national data related to NPDES water quality permits and air quality permits

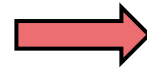


Public-facing information system for the access and analysis of national data from a variety of EPA data systems

# Data Correction Examples

## Typical Errors

- MOCWIS Interim Error
- Missing NODI code on report received in MOCWIS
- DMR unavailable for submission due to permit renewal
- One or few 'analysis not conducted' DMRs causing SNC



## Resolution

Administratively resolve the missing parameter with a NODI code in each DMR with the violation

Check MOGEM for code and enter into MOCWIS and ICIS

Administratively resolve the missing DMR using a NODI code in ICIS

Administratively resolve violation using a RNC resolution code

# SNC Compliance Assistance

- eDMR Hotline (**573-526-2082**)
  - Questions about permit requirements
  - Assistance needed for submitting reports in the eDMR system
    - Password reset
    - eSign question reset
  - Supplying needed forms or documents
  - Instruction on the use of NODI codes
- Notifying regional offices of received reports

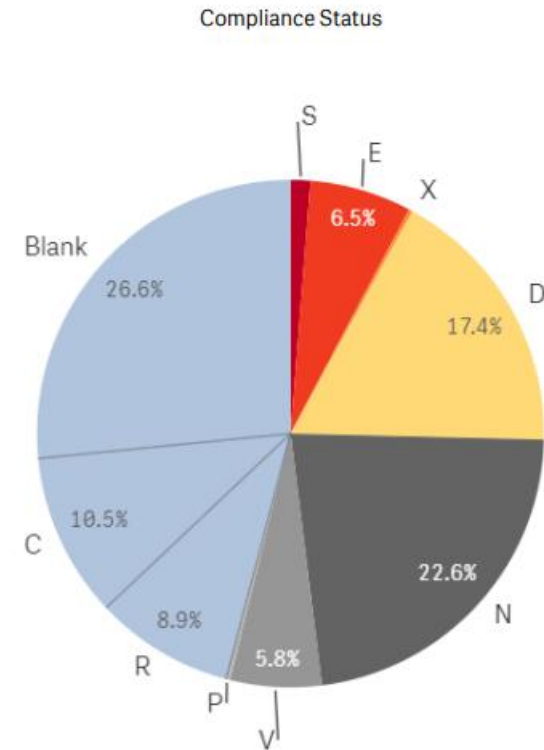


# Progress Accomplished

## Beginning of Project (Mid-May 2021)

Total # of facilities: 2,606

- National SNC Rate: 15.9%
- MO SNC Rate: **30.2%**
- # of facilities in SNC: **787**
- # of facilities in compliance: 1,587

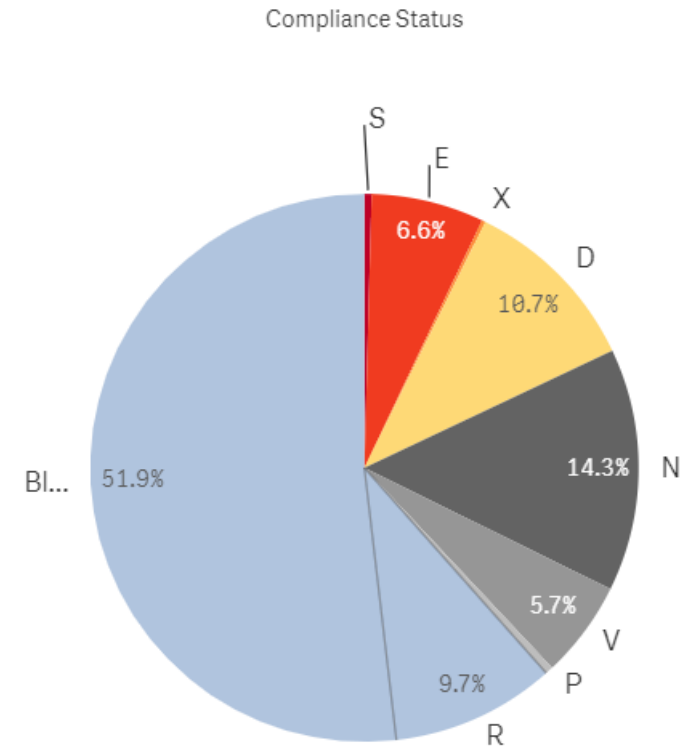


# Progress Accomplished

## End of Summer (September 2021)

Total # of facilities: 2,605

- National SNC Rate: 12.2%
- MO SNC Rate: 18.0%
- # of facilities in SNC: 468
- # of facilities in compliance: 2,137
- Received accolades from EPA!



# SNC Progress Since

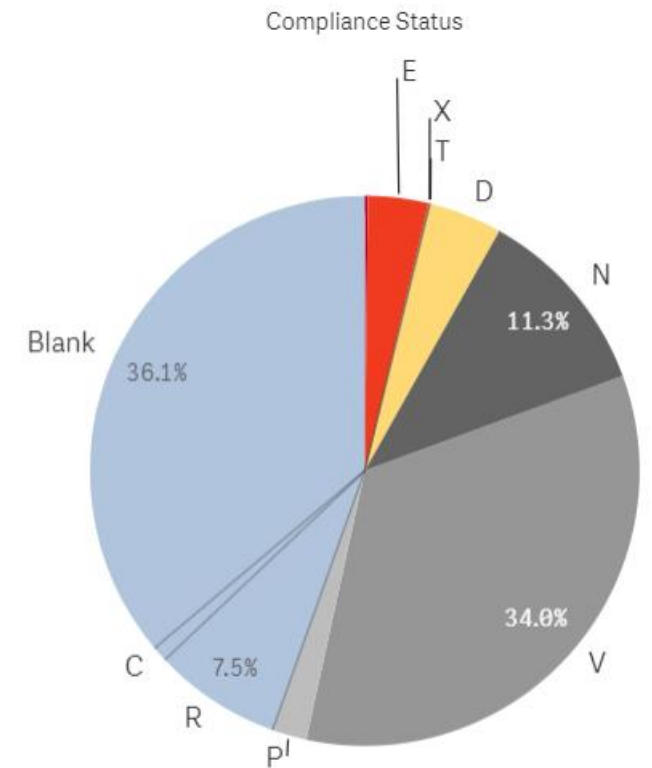
- Summer 2022 and 2023
  - Interns continued to work through list of SNC facilities
  - Applied previous logic as well as new ideas
    - Summer 2022 – 15% SNC
    - Summer 2023 – 12.5% SNC
- DMU expanded
  - Additional staff allowed SNC work to continue year-round

# Progress Accomplished

## Summer 2024

Total # of facilities: 2,664

- National SNC Rate: 8.6%
- MO SNC Rate: 8.1%
- # of facilities in SNC: 217
- # of facilities in compliance: 2,447



# 2020 SNC Contributing Factors

- Errors in permit writing
- ~~Modifications of expired permits~~
- Inaccurate reporting by facilities
- Disconnect between permit requirements between state and federal reporting systems
- ~~Large permitting universe~~
- ~~Lack of resources in Data Management Unit~~

# 2024 Contributing Factors

- Most recent unofficial quarter saw increase to 10.6%
  - AOC orders needing to be relinked
  - DMR non-receipt approximately 4.0%
- Errors in permit writing
  - Refresher training for new permitting staff
- Inaccurate reporting by facilities
  - Continued Compliance Assistance
- Disconnect between permit requirements between state and federal reporting systems
  - Ensure that parameters used in permits are active in ICIS
  - Ensure units used in permits are active in ICIS

# SNC Lessons Learned

- Missing DMR SNC masked Exceedance SNC
- Administrative Order on Consent (AOC) must be linked each quarter
- Functional SNC will always be present
- Must remain diligent
- Continual education of staff makes all the difference



## Questions!

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