

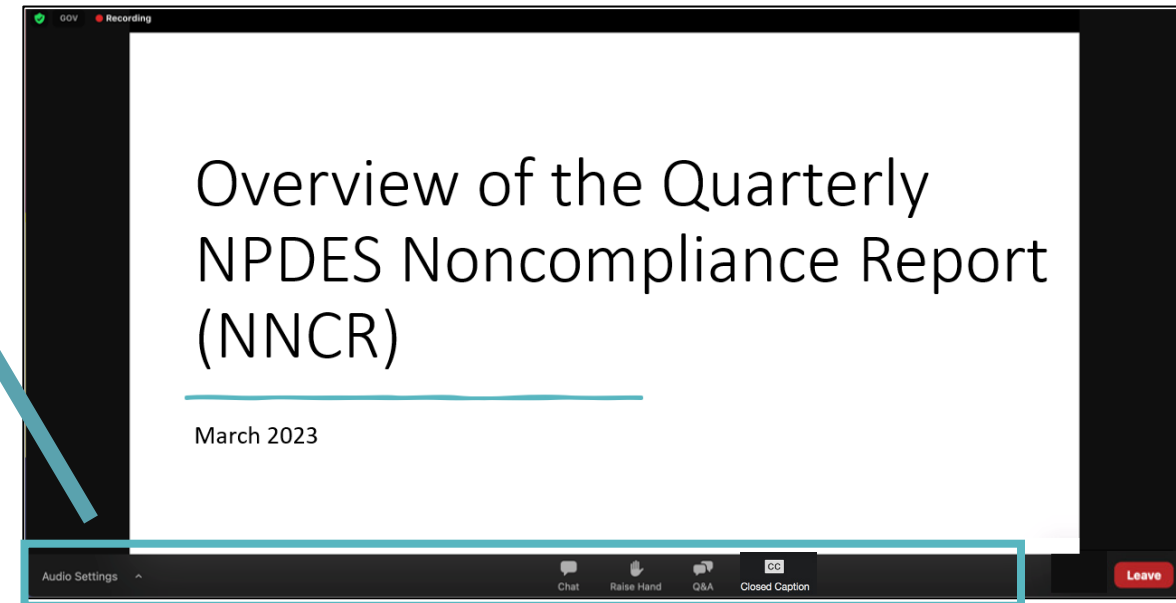
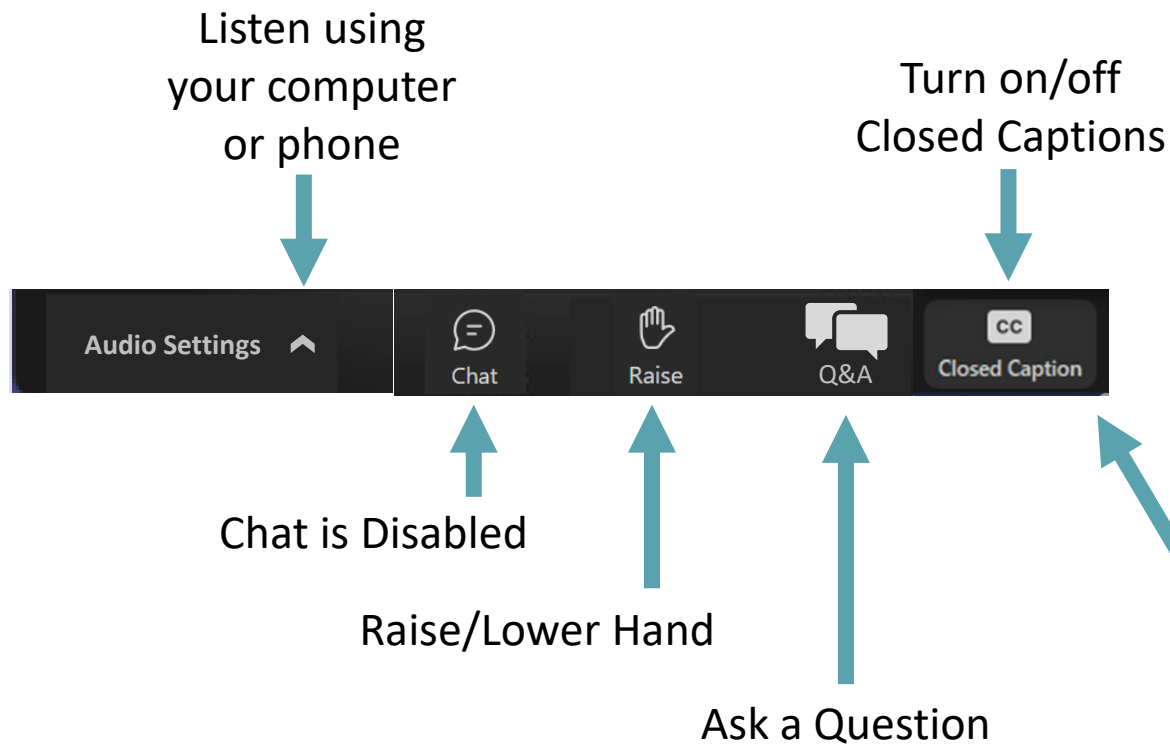
# DMR Reporting Violations on the NPDES Noncompliance Report (NNCR)

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March 2023

# Webinar Logistics

- All attendees are in listen only mode. Please enter your questions in the Q&A pod and we will be monitoring them throughout the webinar.
- If you wish ask a question verbally, please raise your (virtual) hand and we will respond to those questions at the end of the training.



# Asking Questions

GOV Recording

Overview  
NPDES No  
(NNCR)

March 2023

e Report

Q&A

Welcome to Q&A  
Questions you ask the host and panelists will show up here

I have a question

Send anonymously

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Who can see your questions?

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Chat Raise Hand Q&A Leave

Send in your questions anonymously or with your name

Ask your question via the Q&A pod

# DMR Reporting Violations on the NPDES Noncompliance Report (NNCR)

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March 2023

# Purpose

- Understand when DMR reporting violations are generated
- Learn about the underlying rules supporting DMR reporting violations
- Understand how to find more information

*This presentation is an advanced training and assumes you have attended the Quarterly NNCR training. If not, you can view a recorded training on the [ECHO Training](#) page.*

# Agenda

1. Violation generation
2. Violation detections (category I versus II)
3. Violation resolutions
4. Quarterly report criteria
5. Accessing the quarterly NNCR and next steps
6. Questions

# What is a DMR Reporting Violation?

- NPDES permittees are required to periodically report their self-monitoring results on discharge monitoring reports (DMRs)
- DMR reporting violations are generated when the results from the self-monitoring have not been reported within 30 days of the due date
- Violations are generated for missing DMR values and when a noncompliant no data indicator (NODI) was reported

# No Data Indicator (NODI)

- A NODI is a unique code/description that indicates the reason “No Discharge” or “No Data” was reported on a DMR
- A NODI can be reported on a DMR when a permittee does not have a numeric DMR value to report for a parameter for an entire monitoring period



# DMR Reporting Violation Codes

- There are two DMR reporting violations:
  - D80: DMR, Monitor Only – Overdue
  - D90: DMR, Limited – Overdue

# DMR Reporting Violation Generation

DMR reporting violations are uniquely identified by the following set of data:

- NPDES ID
- Permitted Feature (outfall)
- Limit Set
- Monitoring Period End Date
- Parameter
- Monitoring Location
- Value Type (concentration or quantity)

# Category I versus II

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# Violation Category

40 CFR §123.45 requires every violation to be designated as a Category I or II violation. The regulation includes specific criteria for Category I violations. All violations that do not meet Category I criteria must be designated Category II.

For DMR reporting violations, the Category I criteria is failure to submit a required report within 30 days of the due date.

# NNCR Interpretation

- An “entire DMR” is defined by the grouping of DMR value(s) by NPDES ID, permitted feature number, and monitoring period end date.
- If an entire DMR is missing\* 31 days after the due date, each of the DMR reporting violations will be designated as Category I violation.
- If less than an entire DMR is missing\* 31 days after the due date, each of the DMR reporting violations will be designated as Category II violation.

\*Missing includes both no data reported and noncompliant NODIs

# Violation Detection

DMR reporting violations have 4 possible violation detections:

Detection Code	Detection Description	Violation Category
D1A	DMR Reporting (Entire) – No Data	I
D1B	DMR Reporting (Entire) – NODI	I
D2C	DMR Reporting (Partial) – No Data	II
D2D	DMR Reporting (Partial) – NODI	II

# Category I Examples

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**DISCHARGE MONITORING REPORT (DMR)**

NAME  
ADDRESS

PERMIT NUMBER	DISCHARGE NUMBER

FACILITY  
LOCATION

MONITORING PERIOD						
YEAR	MO	DAY		YEAR	MO	DAY
FROM			TO			

NOTE: Read instructions before

PARAMETER	X	QUANTITY OR LOADING			QUALITY OR CONCENTRATION				NO. EX	FREQUENCY OF ANALYSIS	SAMPLE TYPE
		AVERAGE	MAXIMUM	UNITS	MINIMUM	AVERAGE	MAXIMUM	UNITS			
	SAMPLE										
	PERMIT REQUIREMENT										
	SAMPLE										
	PERMIT REQUIREMENT										
	SAMPLE										
	PERMIT REQUIREMENT										
	SAMPLE										
	PERMIT REQUIREMENT										
	SAMPLE										
	PERMIT REQUIREMENT										

NAME/TITLE PRINCIPAL EXECUTIVE OFFICER  TYPED OR PRINTED	I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.	TELEPHONE  AREA      NUMBER	DATE  YEAR      MO      DAY
	SIGNATURE OF PRINCIPAL EXECUTIVE OFFICER OR AUTHORIZED AGENT		

COMMENT AND EXPLANATION OF ANY VIOLATIONS (Reference all attachments here)



Permit Number: DC1234567

Discharge Number: 001 – A

Monitoring Location: 1 - Effluent Gross

Monitoring Period End Date: 1/31/2020




Code	Description	Category
D1A	DMR Reporting (Entire) – No Data	I
D1B	DMR Reporting (Entire) – NODI	I
D2C	DMR Reporting (Partial) – No Data	II
D2D	DMR Reporting (Partial) – NODI	II

Required DMR Values	10
No Data	10
Noncompliant NODIs	0
Numeric Value or Compliant NODIs	0

Parameter	Quantity		Concentration		
	Q1	Q2	C1	C2	C3
Parameter 1					
Parameter 2					
Parameter 3					
Parameter 4					
Parameter 5					

Colored cell represents a required DMR value

**Data Reported**

-  No Data
-  Noncompliant NODI
-  Numeric Value/Compliant NODI

Permit Number: DC1234567

Discharge Number: 001 – A

Monitoring Location: 1 - Effluent Gross




Monitoring Period End Date: 1/31/2020

Code	Description	Category
D1A	DMR Reporting (Entire) – No Data	I
D1B	DMR Reporting (Entire) – NODI	I
D2C	DMR Reporting (Partial) – No Data	II
D2D	DMR Reporting (Partial) – NODI	II

Required DMR Values	10
No Data	10
Noncompliant NODIs	0
Numeric Value or Compliant NODIs	0

Parameter	Quantity		Concentration		
	Q1	Q2	C1	C2	C3
Parameter 1	D1A				D1A
Parameter 2	D1A				D1A
Parameter 3	D1A				D1A
Parameter 4	D1A				D1A
Parameter 5	D1A				D1A

**Data Reported**

-  No Data
-  Noncompliant NODI
-  Numeric Value/Compliant NODI

Permit Number: DC1234567

Discharge Number: 001 – A

Monitoring Location: 1 - Effluent Gross




Monitoring Period End Date: 1/31/2020

Code	Description	Category
D1A	DMR Reporting (Entire) – No Data	I
D1B	DMR Reporting (Entire) – NODI	I
D2C	DMR Reporting (Partial) – No Data	II
D2D	DMR Reporting (Partial) – NODI	II

Required DMR Values	1
No Data	1
Noncompliant NODIs	0
Numeric Value or Compliant NODIs	0

Parameter	Quantity		Concentration		
	Q1	Q2	C1	C2	C3
Parameter 1					

**Data Reported**

-  No Data
-  Noncompliant NODI
-  Numeric Value/Compliant NODI

Permit Number: DC1234567

Discharge Number: 001 – A

Monitoring Location: 1 - Effluent Gross




Monitoring Period End Date: 1/31/2020

Code	Description	Category
D1A	DMR Reporting (Entire) – No Data	I
D1B	DMR Reporting (Entire) – NODI	I
D2C	DMR Reporting (Partial) – No Data	II
D2D	DMR Reporting (Partial) – NODI	II

Required DMR Values	1
No Data	1
Noncompliant NODIs	0
Numeric Value or Compliant NODIs	0

Parameter	Quantity		Concentration		
	Q1	Q2	C1	C2	C3
Parameter 1				<b>D1A</b>	

**Data Reported**

-  No Data
-  Noncompliant NODI
-  Numeric Value/Compliant NODI

Permit Number: DC1234567

Discharge Number: 001 – A

Monitoring Location: 1 - Effluent Gross




Monitoring Period End Date: 1/31/2020

Code	Description	Category
D1A	DMR Reporting (Entire) – No Data	I
D1B	DMR Reporting (Entire) – NODI	I
D2C	DMR Reporting (Partial) – No Data	II
D2D	DMR Reporting (Partial) – NODI	II

Required DMR Values	9
No Data	2
Noncompliant NODIs	7
Numeric Value or Compliant NODIs	0

Parameter	Quantity		Concentration		
	Q1	Q2	C1	C2	C3
Parameter 1	Noncompliant NODI			Noncompliant NODI	Noncompliant NODI
Parameter 2	Noncompliant NODI			Noncompliant NODI	Noncompliant NODI
Parameter 3	Noncompliant NODI			No Data	No Data

**Data Reported**

-  No Data
-  Noncompliant NODI
-  Numeric Value/Compliant NODI

Permit Number: DC1234567

Discharge Number: 001 – A

Monitoring Location: 1 - Effluent Gross




Monitoring Period End Date: 1/31/2020

Code	Description	Category
D1A	DMR Reporting (Entire) – No Data	I
D1B	DMR Reporting (Entire) – NODI	I
D2C	DMR Reporting (Partial) – No Data	II
D2D	DMR Reporting (Partial) – NODI	II

Required DMR Values	9
No Data	2
Noncompliant NODIs	7
Numeric Value or Compliant NODIs	0

Parameter	Quantity		Concentration		
	Q1	Q2	C1	C2	C3
Parameter 1	D1B			D1B	D1B
Parameter 2	D1B			D1B	D1B
Parameter 3	D1B			D1A	D1A

**Data Reported**

-  No Data
-  Noncompliant NODI
-  Numeric Value/Compliant NODI

# Category II Examples

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Permit Number: DC1234567

Discharge Number: 001 – A

Monitoring Location: 1 - Effluent Gross

Monitoring Period End Date: 1/31/2020

Code	Description	Category
D1A	DMR Reporting (Entire) – No Data	I
D1B	DMR Reporting (Entire) – NODI	I
D2C	DMR Reporting (Partial) – No Data	II
D2D	DMR Reporting (Partial) – NODI	II

Required DMR Values	8
No Data	6
Noncompliant NODIs	0
Numeric Value or Compliant NODIs	2

Parameter	Quantity		Concentration		
	Q1	Q2	C1	C2	C3
Parameter 1					
Parameter 2	■			■	
Parameter 3	■			■	
Parameter 4	■			■	

**Data Reported**

- No Data
- Noncompliant NODI
- ||||| Numeric Value/Compliant NODI



Permit Number: DC1234567

Discharge Number: 001 – A

Monitoring Location: 1 - Effluent Gross

Monitoring Period End Date: 1/31/2020

Code	Description	Category
D1A	DMR Reporting (Entire) – No Data	I
D1B	DMR Reporting (Entire) – NODI	I
D2C	DMR Reporting (Partial) – No Data	II
D2D	DMR Reporting (Partial) – NODI	II

Required DMR Values	8
No Data	6
Noncompliant NODIs	0
Numeric Value or Compliant NODIs	2

Parameter	Quantity		Concentration		
	Q1	Q2	C1	C2	C3
Parameter 1					
Parameter 2	D2C			D2C	
Parameter 3	D2C			D2C	
Parameter 4	D2C			D2C	

**Data Reported**

- No Data
- Noncompliant NODI
- Numeric Value/Compliant NODI

Permit Number: DC1234567

Discharge Number: 001 – A

Monitoring Location: 1 - Effluent Gross




Monitoring Period End Date: 1/31/2020

Code	Description	Category
D1A	DMR Reporting (Entire) – No Data	I
D1B	DMR Reporting (Entire) – NODI	I
D2C	DMR Reporting (Partial) – No Data	II
D2D	DMR Reporting (Partial) – NODI	II

Required DMR Values	6
No Data	1
Noncompliant NODIs	3
Numeric Value or Compliant NODIs	2

Parameter	Quantity		Concentration		
	Q1	Q2	C1	C2	C3
Parameter 1	Vertical lines			Vertical lines	
Parameter 2	Red dotted			Red dotted	
Parameter 3	Red dotted			Yellow	

**Data Reported**

-  No Data
-  Noncompliant NODI
-  Numeric Value/Compliant NODI

Permit Number: DC1234567

Discharge Number: 001 – A

Monitoring Location: 1 - Effluent Gross




Monitoring Period End Date: 1/31/2020

Code	Description	Category
D1A	DMR Reporting (Entire) – No Data	I
D1B	DMR Reporting (Entire) – NODI	I
D2C	DMR Reporting (Partial) – No Data	II
D2D	DMR Reporting (Partial) – NODI	II

Required DMR Values	6
No Data	1
Noncompliant NODIs	3
Numeric Value or Compliant NODIs	2




Parameter	Quantity		Concentration		
	Q1	Q2	C1	C2	C3
Parameter 1					
Parameter 2	D2D			D2D	
Parameter 3	D2D			D2C	

**Data Reported**







-  No Data
-  Noncompliant NODI
-  Numeric Value/Compliant NODI

Code	Description	Category
D1A	DMR Reporting (Entire) – No Data	I
D1B	DMR Reporting (Entire) – NODI	I
D2C	DMR Reporting (Partial) – No Data	II
D2D	DMR Reporting (Partial) – NODI	II





Required DMR Values	10
No Data	4
Noncompliant NODIs	4
Numeric Value or Compliant NODIs	2

Data Reported	
	No Data
	Noncompliant NODI
	Numeric Value/Compliant NODI

Permit Number: DC1234567  
 Discharge Number: 001 – A  
 Monitoring Location: 1 - Effluent Gross  
 Monitoring Period End Date: 1/31/2020




Parameter	Quantity		Concentration		
	Q1	Q2	C1	C2	C3
Parameter 1					
Parameter 2					
Parameter 3					

Permit Number: DC1234567  
 Discharge Number: 001 – B  
 Monitoring Location: 1 - Effluent Gross  
 Monitoring Period End Date: 1/31/2020

Parameter	Quantity		Concentration		
	Q1	Q2	C1	C2	C3
Parameter 1					
Parameter 2					



Code	Description	Category
D1A	DMR Reporting (Entire) – No Data	I
D1B	DMR Reporting (Entire) – NODI	I
D2C	DMR Reporting (Partial) – No Data	II
D2D	DMR Reporting (Partial) – NODI	II

Required DMR Values	10
No Data	4
Noncompliant NODIs	4
Numeric Value or Compliant NODIs	2

Data Reported	
	No Data
	Noncompliant NODI
	Numeric Value/Compliant NODI

Permit Number: DC1234567  
 Discharge Number: 001 – A  
 Monitoring Location: 1 - Effluent Gross  
 Monitoring Period End Date: 1/31/2020

two limit sets

Parameter	Quantity		Concentration		
	Q1	Q2	C1	C2	C3
Parameter 1					
Parameter 2	<b>D2D</b>			<b>D2D</b>	
Parameter 3	<b>D2D</b>			<b>D2D</b>	

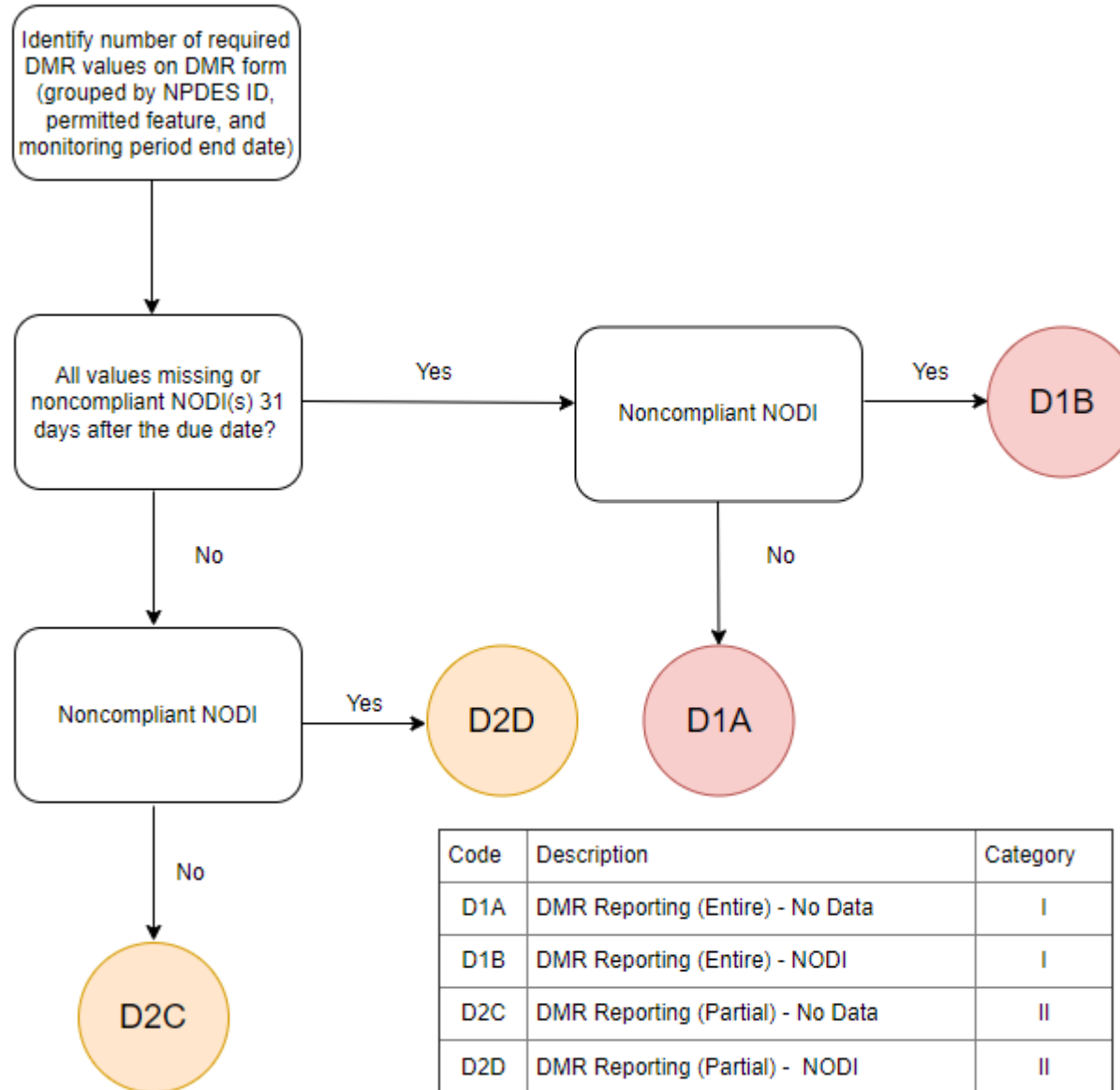
Permit Number: DC1234567  
 Discharge Number: 001 – B  
 Monitoring Location: 1 - Effluent Gross  
 Monitoring Period End Date: 1/31/2020

two limit sets

Parameter	Quantity		Concentration		
	Q1	Q2	C1	C2	C3
Parameter 1	<b>D2C</b>				<b>D2C</b>
Parameter 2	<b>D2C</b>				<b>D2C</b>

# DMR Reporting Detection Flow Chart

For each overdue DMR violation (D80/D90), follow the steps below to determine the violation detection code and order the violations are evaluated:



# Violation Resolution

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# Violation Resolution Hierarchy

- Each violation can only have 1 violation status
- There is a hierarchy of violation statuses:
  1. Resolved
  2. Resolved Pending
  3. Unresolved

The *first* resolution that applies to the highest status in the hierarchy is the resolution description and date associated with the violation.



# Violation Resolution

DMR reporting violations have 7 possible violation resolutions:

Resolution Code	Resolution Description	Violation Status
RP1	Formal Enforcement with Compliance Schedule	Resolved Pending
RP2	Resolved Pending - Manual	Resolved Pending
R1	Submitted Report or Completed Event	Resolved
R3	Closure of Formal Enforcement	Resolved
R6	Permit Terminated	Resolved
R4	System Administratively Resolved	Resolved
R5	Resolved – Manual	Resolved

# Manual Resolutions

## Resolved Pending - Manual

- Violation Status = Resolved Pending
- Resolution Date = Manually entered by the regulatory authority

## Resolved - Manual

- Violation Status = Resolved
- Resolution Date = Manually entered by the regulatory authority

# Submitted Report or Completed Event

- Violation Status = Resolved
- Resolution Date = DMR value received date
- This includes data that was corrected and resubmitted more than 30 days after the due date, even if the original submission was reported on time

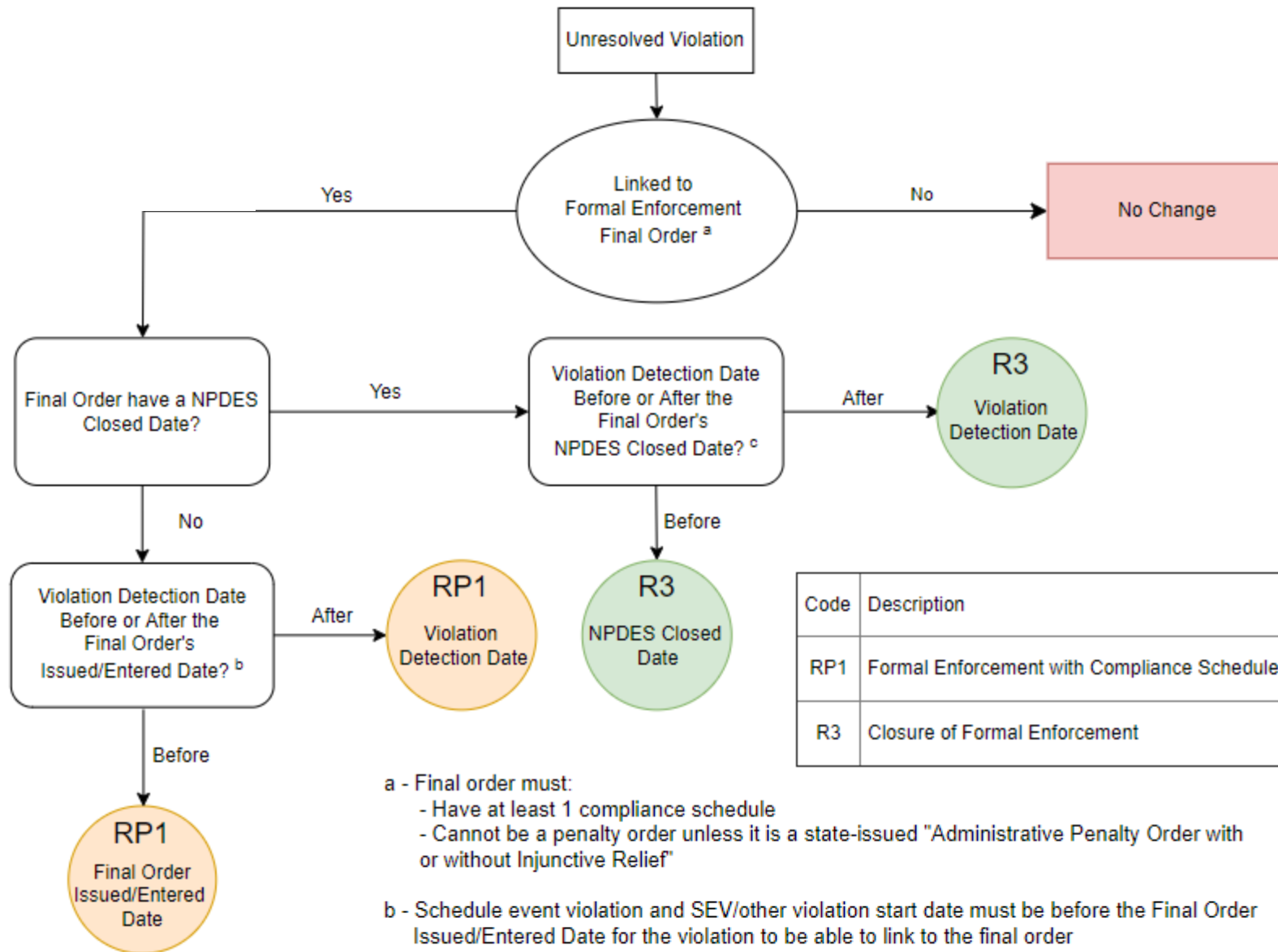
# Formal Enforcement w/Comp. Schedule

- Violation Status = Resolved Pending
- Resolution Date
  - If the violation detection date is before the final order's issued/entered date, the resolution date = issued/entered date
  - If the violation detection date is after the final order's issued/entered date, the resolution date is set to the violation's detection date
- Applies when a DMR reporting violation is linked to a
  - Formal enforcement action non-penalty final order or a state-issued Administrative Penalty Order with or without Injunctive Relief and a compliance schedule, and
  - The final order *does not have* a NPDES Closed Date

# Closure of Formal Enforcement

- Violation Status = Resolved
- Resolution Date
  - If the violation detection date is before the final order's NPDES Closed Date, the resolution date = NPDES closed date
  - If the violation detection date is after the final order's NPDES Closed Date, the resolution date is set to the violation's detection date
- Applies when a DMR reporting violation is linked to a
  - Formal enforcement action non-penalty final order or a state-issued Administrative Penalty Order with or without Injunctive Relief and a compliance schedule, and
  - The final order *has* a NPDES Closed Date

# Resolved Pending and Resolved Status Flow Chart



Code	Description
RP1	Formal Enforcement with Compliance Schedule
R3	Closure of Formal Enforcement

a - Final order must:  
 - Have at least 1 compliance schedule  
 - Cannot be a penalty order unless it is a state-issued "Administrative Penalty Order with or without Injunctive Relief"

b - Schedule event violation and SEV/other violation start date must be before the Final Order Issued/Entered Date for the violation to be able to link to the final order

c - DMR violation date must be before the NPDES Closed Date for the violation's status to change with the linkage to the enforcement action

# System Administratively Resolved

- Violation Status = Resolved
- Resolution Date = 1 year after the violation's detection date
- Applies when a DMR reporting violation has not previously been resolved by another method, including overriding automated Resolved Pending statuses

*Note: violations with this status can still be included in enforcement actions*

# Permit Terminated

- Violation Status = Resolved
- Resolution Date = Permit Termination Date
- Violations resolved by a permit termination overrule manual resolutions, even if the manual resolution date is after the permit termination date.

*Note: violations with this status can still be included in enforcement actions*



# DMR Reporting Violations by Quarter

DMR reporting violation will be included if it meets any of the following criteria:

- Violation start date is within the quarter (new violation)
- Violation has an unresolved status and the violation start date before the end of the quarter (ongoing violation)
- Violation has a resolved pending status and the violation start date before the end of the quarter (resolved pending)
- Violation has a resolved status and a resolution date during the quarter (resolved)

# Accessing the NNCR

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# Accessing the NNCR

- The Quarterly NNCR is available on ECHO (echo.epa.gov) within the blue “Search Options” tab (bottom left corner)
  - [Quarterly NNCR Search](#)
  - [NNCR Help Documentation](#)
- NNCR Trainings
  - <https://echo.epa.gov/help/training>
- NNCR Guide
  - Under final review, will be posted once the final accessibility updates have been incorporated

# Quarterly NNCR Search Flow

1

Search Form

The search form is divided into three main sections: **Report Timeframe** with a dropdown for 'Quarterly Report' set to 'FY 2023 Q1'; **Geographic Location** with dropdowns for 'EPA Region' and 'State/Territory', and radio buttons for 'Facility Address' and 'Permitted Location'; and **Facility Characteristics** with text input fields for 'Facility Name' and 'Facility ID Number', a search filter dropdown, and radio buttons for 'EPA Registry ID' and 'Program System ID'. Below these are radio buttons for 'Major Designation' (Any, Major, Non-Major) and 'Permitting Agency' (Any, State, U.S. EPA). A blue 'Search' button is at the bottom right.

User-defined search criteria.

2

Summary Results

A table summarizing quarterly NNCR results. The table has columns for NPDES ID, Facility Name, EPA Region, State/Territory, and various violation counts. The first row is highlighted in red.

NPDES ID	Facility Name	EPA Region	State/Territory	Violations	High-Level Violations	Other Violations
000000000000000000	000000000000000000	000000000000000000	000000000000000000	0	0	0
000000000000000000	000000000000000000	000000000000000000	000000000000000000	0	0	0
000000000000000000	000000000000000000	000000000000000000	000000000000000000	0	0	0
000000000000000000	000000000000000000	000000000000000000	000000000000000000	0	0	0

Table summarizing the quarterly NNCR and displays high-level violation information. Table contains one row per NPDES ID.

3

Detailed Report

A detailed report titled 'NPDES Noncompliance Report'. It shows a table of violations for a specific permit, with columns for violation type, date, and status. Below the table are sections for 'Permit Information' and 'Facility Information'.

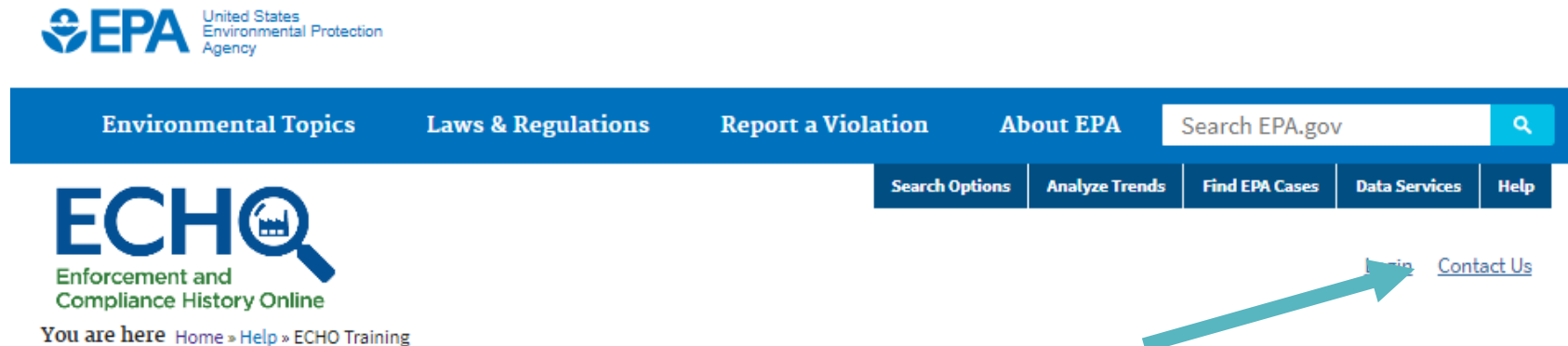
Permit-level violation report that displays all violations for permits linked to a facility (FRS ID).

# Demonstration

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# Next Steps

- If you have questions about the NNCR or have suggested recommendations for the workgroup to consider, please reach out to the [ECHO Help Desk](#).



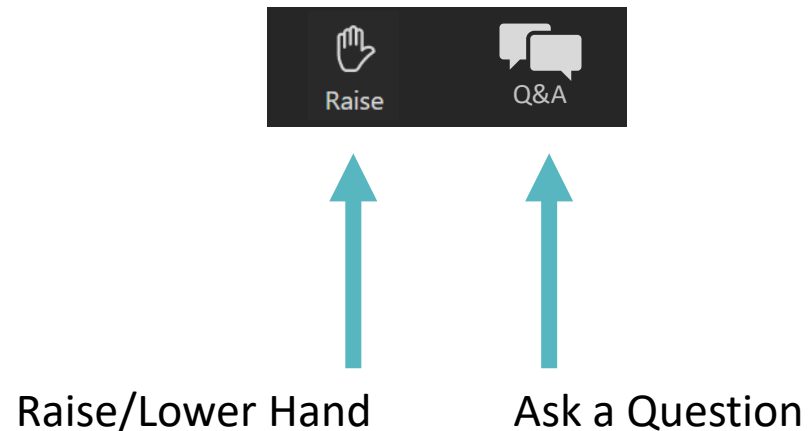
The screenshot shows the top portion of the EPA ECHO website. At the top left is the EPA logo with the text "United States Environmental Protection Agency". Below this is a blue navigation bar with the following links: "Environmental Topics", "Laws & Regulations", "Report a Violation", and "About EPA". To the right of these links is a search bar labeled "Search EPA.gov" with a magnifying glass icon. Below the navigation bar is a secondary menu with links for "Search Options", "Analyze Trends", "Find EPA Cases", "Data Services", and "Help". On the left side, the "ECHO" logo is displayed, with the text "Enforcement and Compliance History Online" underneath. Below the logo is the breadcrumb trail: "You are here Home » Help » ECHO Training". A teal arrow points from the text below to the "Contact Us" link in the secondary menu.

“Contact Us” link is available at the top right of every ECHO page

Stop Recording

# Question and Answer Session

Please enter your questions in the Q&A pod or raise your hand and we will unmute you to ask verbally.





# Thank you for attending today's training!

Slides and training recording will be posted on the ECHO Training (<https://echo.epa.gov/help/training>) page.

A short survey will appear on your screen momentarily, we would really appreciate your feedback.

**OMB Control Number: 2030-0051 Expiration Date: 5/31/24**

*(Pursuant to 5 CFR § 1320.12(b)(2); approval for the current collection is automatically extended on a monthly basis during OMB's review of its renewal.)*

**EPA Burden Statement:**

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