

March 2006



Troubled Waters

**An analysis of Clean Water
Act compliance, July 2003-
December 2004**



**U.S. PIRG
Education Fund**

Troubled Waters

**An analysis of Clean Water Act compliance,
July 2003- December 2004**



March 2006

Acknowledgments

Written by Christy Leavitt, Clean Water Advocate with U.S. PIRG Education Fund.

© 2006, U.S. PIRG Education Fund

Cover photo: Photodisc.

The author would like to thank Alison Cassady, Research Director with U.S. PIRG Education Fund, for her editorial assistance and contributions to this report. Additional thanks to the numerous staff at state environmental protection agencies across the country for reviewing the data for accuracy.

Special thanks to the Bauman Foundation, Turner Foundation and individual contributors for supporting U.S. PIRG Education Fund's environmental defense campaign.

The recommendations are those of the U.S. PIRG Education Fund and do not necessarily reflect the views of our funders.

To obtain additional copies of this report, visit our website or send a check for \$25 made payable to U.S. PIRG Education Fund at the following address:

U.S. PIRG Education Fund
218 D Street SE
Washington, DC 20003
(202) 546-9707
www.uspirg.org

The U.S. PIRG Education Fund is the research and public education center for the U.S. Public Interest Research Group (PIRG), the national advocacy office of the state PIRGs. The state PIRGs are a nationwide network of nonprofit, nonpartisan, state-based public interest advocacy organizations. The state PIRGs' mission is to deliver persistent, result-oriented activism that protects the environment, encourages a fair marketplace for consumers, and fosters responsive, democratic government.

Table of Contents

Executive Summary -----	1
Introduction: The State of America's Waters -----	3
Background: A Permit to Pollute -----	4
Findings: America's Troubled Waterways-----	7
The Bush Administration's Assault on the Clean Water Act-----	14
Recommendations-----	17
Methodology-----	20
Appendix A. Facilities Exceeding Their Clean Water Act Permits for at Least 9 of the 18 Reporting Periods between July 1, 2003 and December 31, 2004-----	22
Appendix B. All State Facilities Exceeding their Clean Water Act Permits at Least Once between July 1, 2003 and December 31, 2004 -----	32
End Notes-----	33

Executive Summary

When drafting the Clean Water Act in 1972, legislators set the goals of making all U.S. waterways fishable and swimmable by 1983 and eliminating the discharge of pollutants into the nation's waterways by 1985. More than 30 years later, we are far from realizing the Clean Water Act's original vision.

Using information provided by the U.S. Environmental Protection Agency (EPA) in response to a Freedom of Information Act request, this report analyzes all major facilities^a violating their Clean Water Act permits between July 1, 2003 and December 31, 2004, reveals the type of pollutants they are discharging into our waterways, and details the extent to which these facilities are exceeding their permit levels.

More than two decades after the drafters of the Clean Water Act hoped that all waterways would be pollution-free, we find that facilities across the country continue to discharge more pollution into our waterways than allowed under the law.

Key findings include:

Thousands of facilities continue to exceed their Clean Water Act permits.

◆ Nationally, more than 3,700 major facilities (62%) exceeded their Clean Water Act permit limits at least once between July 1, 2003 and December 31, 2004.

◆ The ten U.S. states that allowed the highest percentage of major facilities to exceed their Clean Water Act permit limits at least once are West Virginia, Rhode Island, Connecticut, New York, Iowa, Ohio, New Hampshire, Utah, the District of Columbia, and Maine.

◆ The eight U.S. counties with the most facilities exceeding their Clean Water Act permits at least once in this period are Harris County, Texas; Worcester County, Massachusetts; New Haven County, Connecticut; Allegheny County, Pennsylvania; Hartford County, Connecticut; Calcasieu Parish, Louisiana; Erie County, New York; and Fairfield County, Connecticut.

These facilities often exceed their permits more than once and for more than one pollutant.

◆ Nationally, 436 major facilities exceeded their Clean Water Act permit limits for at least half of the monthly reporting periods between July 1, 2003 and December 31, 2004.

◆ Thirty-five (35) facilities exceeded their Clean Water Act permits during every monthly reporting period between July 1, 2003 and December 31, 2004.

^a Facilities are designated as "major" based on an EPA scoring system that considers a combination of factors, including toxic pollutant potential, streamflow volume, public health impacts, and proximity to coastal waters.

◆ The 3,700 major facilities exceeding their permits in the time period studied reported more than 29,000 exceedances of their Clean Water Act permit limits. This means that many facilities exceeded their permits more than once and for more than one pollutant.

◆ The ten U.S. states that allowed the most exceedances of Clean Water Act permit limits between July 1, 2003 and December 31, 2004 are Ohio, Texas, New York, Pennsylvania, Louisiana, Tennessee, Indiana, West Virginia, Massachusetts, and Illinois.

These facilities often exceed their permits egregiously.

◆ Major facilities exceeding their Clean Water Act permits, on average, exceeded their permit limits by about 275%, or almost four times the allowed amount.

◆ The ten U.S. states that allowed the highest average permit exceedance between July 1, 2003 and December 31, 2004 are Hawaii, Wyoming, South Dakota, New Mexico, Oklahoma, Indiana, Mississippi, Delaware, Illinois, and Georgia.

◆ Nationally, major facilities reported approximately 2,500 instances between July 1, 2003 and December 31, 2004 in which they exceeded their Clean Water Act permit limits by at least six-fold (500%).

◆ The U.S. states that allowed at least 100 exceedances of at least 500% are Ohio, Indiana, Pennsylvania, New York, Tennessee, Texas, and Massachusetts.

At a time when our federal leaders should be working with the states to clean up our waterways and enforce the law, the Bush administration has suggested, proposed, or enacted numerous policies that would weaken the Clean Water Act and threaten the future of America's rivers, lakes, streams, wetlands, and oceans. Rather than weakening the Clean Water Act, the Bush administration and our elected officials should tighten enforcement of Clean Water Act programs; strengthen standards to protect our rivers, lakes, streams, wetlands, and coastal waters; and ensure the public's right to know about water pollution by increasing and improving access to accurate and comprehensive compliance data and discharge reporting.

Introduction: The State of America's Waters

In 1972, Congress passed the Clean Water Act, marking a distinct change in the direction of water pollution control. The Clean Water Act instituted requirements for water quality-based controls and added an equal emphasis on technology-based, or end-of-pipe, control strategies. The Act set several goals, stating “it is the national goal that the discharge of pollutants into navigable waters be eliminated by 1985”; “it is the national goal that wherever attainable an interim goal of water quality which provides for the protection and propagation of fish, shellfish, and wildlife and provides for recreation in and on the water be achieved by July 1, 1983”; and “it is the national policy that the discharge of toxic pollutants in toxic amounts be prohibited.”¹

Three decades later, although the Clean Water Act has helped to clean up the nation's waterways, we have not yet achieved these goals. Consider the following:

- A majority of Americans live within 10 miles of a polluted river, lake, stream, or coastal area.²
- Approximately 39% of our rivers, 46% of our lakes, and 51% of our estuaries are impaired for one or more uses and thus still too polluted for safe fishing or swimming.³
- The Environmental Protection Agency (EPA) estimates that more than 20,000 bodies of water throughout the country are too polluted to meet basic water quality standards.⁴
- In March 2006, the U.S. Geological Survey (USGS) released a report describing the occurrence of pesticides in streams and groundwater over the ten years spanning 1992-2001. USGS found at least one pesticide in all of the streams studied.⁵
- Across the country, pollution caused nearly 20,000 beach closings and advisories in 2004 at ocean, bay, and Great Lakes surveyed beaches, the highest level in 15 years.⁶
- In 2004, 31 states had statewide fish consumption advisories in place because of toxic pollution. Federal or state agencies have issued fish consumption advisories for 35% of the nation's total lake acres (excluding the Great Lakes), all of the Great Lakes, 24% of total river miles, and nearly 65% of the country's contiguous coastal waters, including 92% of the Atlantic coast and the entire Gulf coast.⁷
- According to EPA's Toxic Release Inventory, polluters discharged more than 221.8 million pounds of toxic chemicals into our waterways in 2003 alone.⁸
- At least 853 billion gallons of raw sewage are dumped into U.S. waterways every year.⁹ U.S. sewer systems are aging; by 2025, sewage pollution will reach the highest levels in U.S. history without significant investment in wastewater treatment infrastructure.¹⁰

America's waterways are an important part of our natural heritage, providing us with drinking water and places to swim and fish. Over the last 30 years, we have made significant strides in cleaning up our waterways, but we still have important work to do. Today, many of America's iconic waterways, from the Mississippi River to the Chesapeake Bay to the Great Lakes, are struggling with pollution. The “fishable and swimmable” goal of the Clean Water Act remains the unmet benchmark of water quality in the U.S.

Background: A Permit to Pollute

In addition to setting the goals of eliminating the discharge of pollution into America's waterways and making all waterways fishable and swimmable, the Clean Water Act embodies four important principles:¹¹

- The discharge of pollutants to navigable waters is not a right.
- A discharge permit is required to use public resources for waste disposal and limits the amount of pollutants that may be discharged.
- Wastewater must be treated with the best treatment technology economically achievable, regardless of the condition of the receiving water.
- Effluent limits must be based on treatment technology performance, but more stringent limits may be imposed if the technology-based limits do not prevent violations of water quality standards in the receiving water.

The National Pollutant Discharge Elimination System

As authorized by the Clean Water Act, the National Pollutant Discharge Elimination System (NPDES) permit program regulates point sources that discharge pollutants into waters of the United States. The Clean Water Act prohibits any facility from discharging pollutants from a point source into a waterway unless it has a NPDES permit. The permit contains limits on what the facility can discharge and monitoring and reporting requirements. The permit provides two levels of control: technology-based limits, based on the ability of dischargers to treat wastewater, and water quality-based limits, if technology-based limits are not enough to protect the water body.¹²

Pollutants enter waterways from agricultural, domestic, industrial, and other sources. For regulatory purposes, these sources are categorized as either *point sources* or *non-point sources*. *Point sources* refer to discharges that enter waterways from individual pipes or other identifiable locations, such as discharges from sewage treatment plants and industrial facilities. *Non-point source* pollution, unlike pollution from industrial and sewage treatment plants, comes from many diffuse sources and is caused by rainfall or snowmelt that picks up pollutants and deposits them into lakes, rivers, wetlands, and coastal waters.

Water pollution may come from both *direct* and *indirect* sources. *Direct* sources discharge wastewater directly into waterways, whereas *indirect* sources discharge wastewater to a sewage treatment plant, which in turn discharges directly into the receiving water body. NPDES permits are issued only to direct point source dischargers. Indirect dischargers—industrial and commercial facilities that discharge into sewage treatment works—are regulated by the National Pretreatment Program.

The NPDES permitting program is mainly geared toward the regulation of municipal and non-municipal (industrial) direct dischargers. Municipal sources are sewage treatment plants that receive primarily domestic sewage from residential and commercial customers. Larger sewage treatment plants also usually treat wastewater from industrial facilities (indirect dischargers) connected to the sewage system. Many

industrial and commercial facilities also discharge into the waterways of the United States. According to the U.S. EPA NPDES Permit Writers' Manual, "at industrial facilities the types of raw materials, production processes, treatment technologies utilized, and pollutants discharged vary widely and are dependent on the type of industry and specific facility characteristics."¹³

Roles and Responsibilities of Federal and State Authorities

EPA is authorized under the Clean Water Act to implement and enforce the NPDES program. However, EPA can authorize those states that request permission to implement all or part of the NPDES program.

In order for states to receive authorization to implement the NPDES program, they must first establish the necessary legal framework and institutions. This authority is subject to conditions and can be revoked by EPA. States that want to administer the NPDES program submit a letter to EPA from the governor requesting review and approval, a Memorandum of Agreement (MOA), a Program Description, a Statement of Legal Authority (also known as an "Attorney General's Statement" or "AG Statement"), and the underlying state laws and regulations.

In general, once a state is authorized to administer a part of the NPDES program, EPA no longer conducts these activities. EPA still maintains an oversight role and retains the right to take enforcement action against violators if the state fails to do so. Additionally, EPA retains the right to review each permit issued by the state and may formally object to elements that conflict with federal requirements. If the permitting agency does not address the objection points, EPA will issue the permit directly.

In states without an authorized NPDES program, EPA administers the NPDES program through EPA regional offices, with help from the respective state environmental agencies. Currently, the only states without an approved NPDES program are Alaska, the District of Columbia, Idaho, Massachusetts, New Hampshire, and New Mexico.¹⁴ When EPA issues the permit, the Clean Water Act requires that EPA obtain certification from the state of where the discharge will occur to ensure that the discharge will be in compliance with effluent limits, the state's water quality standards, and "any other appropriate requirement of state law."¹⁵

Once a permit is issued through a government agency, the approved state and federal agencies (including EPA) have legal authority to implement and enforce the permit.

Shortcomings of EPA's Permit Compliance System

U.S. EPA maintains the Permit Compliance System (PCS) database, which is designed to track permit, compliance and enforcement status data for the NPDES program under the Clean Water Act. Unfortunately, this critical tool that houses information about the nation's enforcement of the Clean Water Act is outdated and flawed in a few ways, although this remains the best available public data on water quality in the United States.

The PCS database had its last major revision in 1982 and has been identified as an agency weakness publicly since 1999. In a 2003 report, EPA's Office of the Inspector General stated that the EPA Office of Enforcement and Compliance Assurance (OECA) "has directed insufficient attention to conducting accurate and timely planning and analysis" for a planned modernization of the PCS database. The report said that "OECA has not completed certain required planning documents whose preparation might have improved the management of the program."¹⁶ In 2003, the agency, which had promised to modernize the system by the end of the year, admitted that the PCS upgrade would not be complete until September 2006. The Inspector General criticized EPA for allowing the date to slip, noting that without a modernized PCS system, "EPA's Office of Water cannot effectively manage its Clean Water NPDES program."¹⁷ In 2005, the Government Accountability Office reported that the PCS database modernization would be phased in beginning in 2006.¹⁸

Available data on water quality in the U.S. at best paints an incomplete picture of the pollution entering our waterways; at worst, it is a gross underestimate. EPA only requires states to enter data for "major" facilities into its database, covering just a small subset of the universe of facilities. Facilities are designated as "major" based on an EPA scoring system that considers a combination of factors, including toxic pollutant potential, streamflow volume, public health impacts, and proximity to coastal waters. Little compliance information regarding hundreds of thousands of additional dischargers with NPDES permits is available to the public or in some cases even available at all.¹⁹ According to the EPA Inspector General, cost concerns are the reason that EPA does not require states to enter data from "minor" facilities into the system.

Moreover, in the course of completing this report, we identified several areas in which the current PCS database system falls short. EPA informed us that the data for California, Oregon, and Washington was incomplete and unreliable. EPA and the states often record discharges in different units—in pounds instead of kilograms, or milligrams instead of micrograms—which can cause unnecessary mathematical errors. Finally, the permit data for facilities is not always up-to-date. EPA and the states should commit to finishing the PCS modernization and fixing these and other problems as soon as possible.

Findings: America's Troubled Waterways

Two decades after the drafters of the Clean Water Act hoped to eliminate the discharge of pollution into our waterways, we find that facilities across the country continue to discharge more pollution into our waterways than allowed under the law.

In response to a Freedom of Information Act request, EPA provided us with summary data about active major facilities^b in the Clean Water Act's National Pollutant Discharge Elimination System (NPDES). All information was generated from the Permit Compliance System (PCS) and Integrated Data for Enforcement Analysis (IDEA) system and covers the time period spanning July 1, 2003 through December 31, 2004. Refer to the methodology section for more details about this data.

Key findings include:

Thousands of facilities continue to exceed their Clean Water Act permits.

- ◆ Nationally, more than 3,700 major facilities (62%) exceeded their Clean Water Act permit limits at least once between July 1, 2003 and December 31, 2004.
- ◆ The ten U.S. states that allowed the highest percentage of major facilities to exceed their Clean Water Act permit limits at least once are West Virginia, Rhode Island, Connecticut, New York, Iowa, Ohio, New Hampshire, Utah, the District of Columbia, and Maine.
- ◆ The eight U.S. counties with the most facilities exceeding their Clean Water Act permits at least once in this period are Harris County, Texas; Worcester County, Massachusetts; New Haven County, Connecticut; Allegheny County, Pennsylvania; Hartford County, Connecticut; Calcasieu Parish, Louisiana; Erie County, New York; and Fairfield County, Connecticut.

These facilities often exceed their permits more than once and for more than one pollutant.

- ◆ Nationally, 436 major facilities exceeded their Clean Water Act permit limits for at least half (9 of the 18) monthly reporting periods between July 1, 2003 and December 31, 2004. Thirty-five (35) facilities exceeded their Clean Water Act permits during every monthly reporting period.
- ◆ The 3,700 major facilities exceeding their permits in the time period studied reported more than 29,000 exceedances of their Clean Water Act permit limits. This means that many facilities exceeded their permits more than once and for more than one pollutant.
- ◆ The ten U.S. states that allowed the most exceedances of Clean Water Act permit limits during this time period are Ohio, Texas, New York, Pennsylvania, Louisiana, Tennessee, Indiana, West Virginia, Massachusetts, and Illinois.

^b Facilities are designated as "major" based on an EPA scoring system that considers a combination of factors, including toxic pollutant potential, streamflow volume, public health impacts, and proximity to coastal waters.

These facilities often exceed their permits egregiously.

- ◆ Major facilities exceeding their Clean Water Act permits, on average, exceeded their permit limits by about 275%, or almost four times the allowed amount.
- ◆ The ten U.S. states that allowed the highest average permit exceedance in the time period studied are Hawaii, Wyoming, South Dakota, New Mexico, Oklahoma, Indiana, Mississippi, Delaware, Illinois, and Georgia.
- ◆ Nationally, major facilities reported approximately 2,500 instances between July 1, 2003 and December 31, 2004 in which they exceeded their Clean Water Act permit limits by at least six-fold (500%).
- ◆ The U.S. states that allowed at least 100 exceedances of at least 500% are Ohio, Indiana, Pennsylvania, New York, Tennessee, Texas, and Massachusetts.

Water Quality Permitting: Quantity vs. Concentration

A facility's NPDES permit can contain several different discharge limits for each parameter (pollutant), depending on the permit writer and parameter regulated. The permit limits generally fall within two categories: quantity and concentration.

Quantity refers to the mass of a pollutant discharged into a waterway and most commonly is measured in kilograms per day or pounds per day. A NPDES permit may set a *quantity average* that the facility may not exceed for a specified parameter. Quantity average refers to the quantity of a pollutant discharged averaged over the reporting period, which may be a week, month, quarter, etc., depending on the permit writer and the parameter.

Similarly, a permit may set a *quantity maximum* that the facility may not exceed for a specified parameter. Quantity maximum refers to the highest quantity of a pollutant recorded over a set time during the reporting period. The logic is that, for some pollutants, if an entire month's allowable amount was discharged all in one day, a waterbody might be severely damaged.

Concentration refers to the mass of a pollutant in a given volume of water, generally measured as milligrams per liter or parts per million. A NPDES permit may set a *concentration average* that the facility may not exceed for a specified parameter. Concentration average refers to the concentration of a pollutant discharged averaged over the reporting period.

Similarly, a permit may set a *concentration maximum* that the facility may not exceed for a specified parameter. Concentration maximum refers to the highest concentration of a pollutant recorded over a set time during the reporting period. In addition, a NPDES permit may set a *concentration minimum* that the facility may not fall below for a specified parameter. This permit requirement is rare and applies to parameters such as dissolved oxygen.

FINDING: Thousands of facilities continue to exceed their Clean Water Act permits.

Nationally, more than 3,700 major facilities (62%) exceeded their Clean Water Act permit limits at least once between July 1, 2003 and December 31, 2004. The ten U.S. states that allowed the highest percentage of major facilities to exceed their Clean Water Act permit limits at least once are West Virginia, Rhode Island, Connecticut, New York, Iowa, Ohio, New Hampshire, Utah, the District of Columbia, and Maine (Table 1). Between 74 and 80 percent of the facilities in these states exceeded their permits at least once in the time period studied.

Table 1. Number and Percentage of Major Facilities Exceeding their Clean Water Act Permit Limits at Least Once between July 1, 2003 and December 31, 2004: By State

Rank	State	Total Major Facilities	# Exceeding Permit at Least Once	% of Major Facilities
1	West Virginia	98	79	80.6%
2	Rhode Island	25	20	80.0%
3	Connecticut	108	86	79.6%
4	New York	344	271	78.8%
5	Iowa	128	100	78.1%
6	Ohio	292	228	78.1%
7	New Hampshire	58	45	77.6%
8	Utah	33	25	75.8%
9	District of Columbia	4	3	75.0%
10	Maine	87	65	74.7%
11	Massachusetts	130	95	73.1%
12	Missouri	144	104	72.2%
13	Delaware	21	15	71.4%
14	Indiana	194	134	69.1%
15	Oklahoma	86	59	68.6%
16	Alabama	194	132	68.0%
17	Louisiana	242	163	67.4%
18	Idaho	36	24	66.7%
18	Nebraska	54	36	66.7%
20	North Dakota	26	17	65.4%
21	Kentucky	138	88	63.8%
22	Mississippi	88	56	63.6%
23	Tennessee	155	98	63.2%
24	North Carolina	223	140	62.8%
25	Florida	214	134	62.6%
26	South Carolina	173	107	61.8%
27	Georgia	169	102	60.4%
28	Kansas	55	33	60.0%
28	Wyoming	25	15	60.0%
30	Texas	596	348	58.4%
31	Alaska	43	25	58.1%
32	Pennsylvania	383	221	57.7%
33	Illinois	276	158	57.2%
34	Arkansas	103	57	55.3%
35	New Mexico	33	18	54.5%
35	Vermont	33	18	54.5%
37	Michigan	190	103	54.2%
38	Colorado	107	52	48.6%
39	Hawaii	22	10	45.5%
40	Arizona	54	24	44.4%
40	South Dakota	27	12	44.4%
42	Wisconsin	129	55	42.6%
43	Maryland	97	41	42.3%
44	New Jersey	155	63	40.6%
45	Minnesota	89	35	39.3%
46	Virginia	143	51	35.7%
47	Montana	40	14	35.0%
48	Nevada	13	3	23.1%
TOTAL		6,077	3,782	62%

Note: We excluded California, Oregon and Washington because the states failed to provide reliable data to EPA.

FINDING: Some U.S. counties are home to multiple facilities that exceed their Clean Water Act permits.

Eight U.S. counties are home to at least 17 major facilities that exceeded their Clean Water Act permits at least once during the time period studied. These counties include Harris County, Texas; Worcester County, Massachusetts; New Haven County, Connecticut; Allegheny County, Pennsylvania; Hartford County, Connecticut; Calcasieu Parish, Louisiana; Erie County, New York; and Fairfield County, Connecticut. See Table 2 for a list of the counties with at least 10 facilities exceeding their Clean Water Act permits at least once between July 1, 2003 and December 31, 2004.

Table 2. Counties with the Most Major Facilities Exceeding their Clean Water Act Permit Limits at Least Once between July 1, 2003 and December 31, 2004

Rank	State	County Name	Total Major Facilities	# Exceeding Permit at Least Once	% of Major Facilities
1	Texas	Harris	168	99	58.9%
2	Massachusetts	Worcester	27	24	88.9%
3	Connecticut	New Haven	25	21	84.0%
4	Pennsylvania	Allegheny	33	19	57.6%
5	Connecticut	Hartford	23	18	78.3%
5	Louisiana	Calcasieu	26	18	69.2%
5	New York	Erie	21	18	85.7%
8	Connecticut	Fairfield	19	17	89.5%
9	Louisiana	E. Baton Rouge	23	16	69.6%
9	Pennsylvania	Beaver	23	16	69.6%
9	Texas	Nueces	24	16	66.7%
9	West Virginia	Kanawha	21	16	76.2%
13	Alabama	Mobile	19	15	78.9%
13	New York	Niagara	17	15	88.2%
15	Florida	Hillsborough	19	14	73.7%
15	Florida	Polk	23	14	60.9%
15	Illinois	DuPage	24	14	58.3%
15	Michigan	Wayne	20	14	70.0%
15	Texas	Brazoria	19	14	73.7%
20	Florida	Duval	20	13	65.0%
20	Illinois	Will	26	13	50.0%
20	Pennsylvania	Montgomery	23	13	56.5%
20	Texas	Fort Bend	24	13	54.2%
20	Texas	Jefferson	17	13	76.5%

Rank	State	County Name	Total Major Facilities	# Exceeding Permit at Least Once	% of Major Facilities
25	Indiana	Lake	18	12	66.7%
25	Louisiana	Ascension	17	12	70.6%
25	Maine	York	87	12	13.8%
25	Massachusetts	Essex	14	12	85.7%
25	Massachusetts	Middlesex	15	12	80.0%
25	New York	Orange	13	12	92.3%
25	Ohio	Ashtabula	13	12	92.3%
32	Alabama	Jefferson	19	11	57.9%
32	Illinois	Lake	20	11	55.0%
32	Maine	Aroostook	12	11	91.7%
32	New Jersey	Burlington	22	11	50.0%
32	New York	Oswego	12	11	91.7%
32	New York	Saint Lawrence	13	11	84.6%
32	Pennsylvania	Bucks	12	11	91.7%
32	South Carolina	Anderson	14	11	78.6%
40	Connecticut	New London	14	10	71.4%
40	Maine	Cumberland	13	10	76.9%
40	Massachusetts	Bristol	17	10	58.8%
40	Massachusetts	Plymouth	12	10	83.3%
40	New Hampshire	Rockingham	14	10	71.4%
40	New York	Nassau	14	10	71.4%
40	Pennsylvania	Westmoreland	16	10	62.5%
40	Texas	Galveston	15	10	66.7%

FINDING: These facilities often exceed their permits more than once and for more than one pollutant.

Nationally, 436 major facilities exceeded their Clean Water Act permit limits for at least half (9 of the 18) monthly reporting periods between July 1, 2003 and December 31, 2004. (See Appendix A for a list of these facilities.) Thirty-five (35) facilities exceeded their Clean Water Act permits during every monthly reporting period. In addition, the 3,700 major facilities exceeding their permits in the time period studied reported more than 29,000 exceedances of their Clean Water Act permit limits. This means that many facilities exceeded their permits more than once and for more than one pollutant. The ten U.S. states that allowed the most exceedances of Clean Water Act permit limits during this time period are Ohio, Texas, New York, Pennsylvania, Louisiana, Tennessee, Indiana, West Virginia, Massachusetts, and Illinois (Table 3).

Table 3. Number of Exceedances of Permit Limits between July 1, 2003 and December 31, 2004: By State

Rank	State	Total Exceedances	Rank	State	Total Exceedances
1	Ohio	2,656	26	Rhode Island	301
2	Texas	2,043	27	New Jersey	279
3	New York	2,014	28	Nebraska	277
4	Pennsylvania	1,993	29	Virginia	267
5	Louisiana	1,366	30	Alaska	252
6	Tennessee	1,292	31	Idaho	236
7	Indiana	1,180	32	Maryland	230
8	West Virginia	1,130	33	Arizona	217
9	Massachusetts	1,129	34	New Mexico	196
10	Illinois	1,072	35	Minnesota	169
11	Alabama	1,004	36	Colorado	165
12	Florida	893	37	Hawaii	164
13	Iowa	775	38	Delaware	147
14	North Carolina	769	39	Utah	144
15	Georgia	692	40	Wisconsin	130
16	Missouri	652	41	Kansas	129
17	Mississippi	651	42	Vermont	100
18	Kentucky	601	43	North Dakota	86
19	Connecticut	599	44	South Dakota	77
20	Arkansas	577	45	Wyoming	62
21	South Carolina	567	46	Montana	58
22	Maine	461	47	District of Columbia	22
23	Oklahoma	446	48	Nevada	10
24	New Hampshire	390			
25	Michigan	380			
National				29,050	

Note: We excluded California, Oregon and Washington because the states failed to provide reliable data to EPA.

FINDING: These facilities often exceed their permits egregiously.

Major facilities exceeding their Clean Water Act permits, on average, exceeded their permit limits by about 275%, or almost four times the allowed amount. The ten U.S. states that allowed the highest average permit exceedance between July 1, 2003 and December 31, 2004 are Hawaii, Wyoming, South Dakota, New Mexico, Oklahoma, Indiana, Mississippi, Delaware, Illinois, and Georgia (Table 4).

Nationally, major facilities reported approximately 2,500 instances between July 1, 2003 and December 31, 2004 in which they exceeded their Clean Water Act permit limits by at least six-fold (500%). The U.S. states that allowed at least 100 exceedances of at least 500% are Ohio, Indiana, Pennsylvania, New York, Tennessee, Texas, and Massachusetts (Table 5).

Table 4. Average Exceedance of Clean Water Act Permit Limits between July 1, 2003 and December 31, 2004: By State

Rank	State	Average Exceedance (% over Permit Limit)	Rank	State	Average Exceedance (% over Permit Limit)
1	Hawaii	2616.2%	26	New Jersey	193.9%
2	Wyoming	1331.0%	27	North Carolina	191.0%
3	South Dakota	1193.7%	28	Iowa	181.4%
4	New Mexico	950.7%	29	Maryland	174.6%
5	Oklahoma	785.6%	30	South Carolina	164.9%
6	Indiana	530.5%	31	Florida	163.7%
7	Mississippi	486.4%	32	Pennsylvania	153.7%
8	Delaware	466.1%	33	Kentucky	153.4%
9	Illinois	462.0%	34	New York	150.0%
10	Georgia	427.6%	35	Alaska	145.3%
11	Missouri	414.5%	36	Louisiana	136.5%
12	Vermont	395.6%	37	Arizona	136.0%
13	New Hampshire	385.4%	38	Texas	133.8%
14	Kansas	341.7%	39	Wisconsin	125.2%
15	Michigan	336.7%	40	Minnesota	121.1%
16	West Virginia	329.2%	41	Idaho	114.6%
17	Arkansas	285.9%	42	Rhode Island	109.4%
18	Nebraska	284.6%	43	Connecticut	103.4%
19	Massachusetts	259.7%	44	Montana	83.4%
20	Tennessee	249.6%	45	North Dakota	58.6%
21	Maine	246.8%	46	Utah	55.4%
22	Virginia	232.4%	47	District of Columbia	52.4%
23	Alabama	222.9%	48	Nevada	39.7%
24	Colorado	213.2%			
25	Ohio	196.0%			
National Average				275%	

Note: We excluded California, Oregon and Washington because the states failed to provide reliable data to EPA.

Table 5. Number of Exceedances of Permit Limits of at Least 500% (Sixfold) between July 1, 2003 and December 31, 2004: By State

Rank	State	# of exceedances >500%
1	Ohio	205
2	Indiana	178
3	Pennsylvania	154
4	New York	141
5	Tennessee	118
6	Texas	115
7	Massachusetts	113
8	Alabama	96
8	Mississippi	96
10	Illinois	94
11	West Virginia	85
12	Louisiana	80
13	Georgia	75
14	North Carolina	71
15	Oklahoma	66
16	New Mexico	65
17	Missouri	64
18	Arkansas	63
18	New Hampshire	63
20	Florida	60
21	Hawaii	58
21	Maine	58
23	Iowa	57
24	Kentucky	40
25	South Carolina	36
26	Michigan	33
26	Nebraska	33
28	New Jersey	32
29	Virginia	29
30	Connecticut	28
31	Alaska	25
32	Rhode Island	21
33	Colorado	16
34	Idaho	15
35	Maryland	14
36	South Dakota	13
36	Wyoming	13
38	Arizona	12
38	Delaware	12
38	Vermont	12
41	Minnesota	6
42	Kansas	5
43	Wisconsin	4
44	Utah	2
45	Montana	1
National		2,577

Note: We excluded California, Oregon and Washington because the states failed to provide reliable data to EPA. Nevada and North Dakota did not report any exceedances over 500%.

The Bush Administration's Assault on the Clean Water Act

At a time when federal officials should be working with the states to improve water quality and enforce the Clean Water Act, the Bush administration has suggested, proposed, or enacted numerous policies that would weaken the Clean Water Act and threaten the future of America's waterways.

Allowing More Pollution in Waterways

In January 2003, the Bush administration put in a place a policy directive that eliminates Clean Water Act protections for many small streams, wetlands, ponds and other waters. These small streams and wetlands feed and clean larger rivers, lakes and bays by providing water, filtering out pollution, controlling flood waters and providing habitat for fish and other wildlife.²⁰ Pollution entering these source waters will affect the quality of waters downstream.²¹

The policy directive instructs U.S. EPA and U.S. Army Corps of Engineers staff to stop implementing Clean Water Act protections for many waters and requires field staff to withhold protections unless they receive permission from Army Corps or EPA headquarters. This policy puts thousands of miles of streams and millions of acres of wetlands at risk of unlimited pollution and development. EPA has acknowledged that the policy could remove protections from 20 million acres of wetlands alone, or about 20% of the wetlands in the lower 48 states.²²

In December 2003, EPA announced that it would not go forward with a proposed rulemaking to redefine many wetlands, streams, and other waters "out" of the Clean Water Act;²³ however, the policy directing EPA and Army Corps staff remains in place. This policy has allowed developers, mining companies, and other polluters seeking exemption from the Clean Water Act to argue that wetlands, small streams, ponds or other waters fall outside of the Clean Water Act's jurisdiction. The Army Corps' own reporting shows that thousands of waters around the country have already lost protection as a result of this policy.²⁴

Threatening Public Health

Sewage "Blending"

On November 7, 2003, the Bush administration issued a draft policy guidance that relaxes restrictions on sewage treatment facilities for discharging inadequately treated sewage into waterways when it rains. The proposal would allow sewage treatment facilities to divert sewage around secondary treatment units and then combine the filtered but untreated sewage with fully treated wastewater before discharging it into waterways, in a process called "blending." The effect of this sewage blending would be to remove the crucial second step in the process of sewage treatment during wet weather, specifically the biological treatment of the sewage. Currently, this sort of bypass is prohibited.²⁵

Sewage contains bacteria, viruses, parasites, helminthes (intestinal worms), and a host of other organisms that cause beach closings, kill fish and harm public health. Sewage-contaminated waters can cause illness ranging from nausea and diarrhea to cholera, dysentery, infectious hepatitis, and severe gastroenteritis.²⁶ Because the biological treatment component of the process removes most of the pathogens from the

wastewater, blended sewage has significantly higher levels of these pollutants than sewage that has undergone full treatment.²⁷ Sewage blending could lead to more beach closings, increased drinking water treatment costs, shellfish bed closures, fish kills and more illnesses from waterborne diseases.

As a result of significant public and congressional opposition to the sewage blending policy, the Bush administration withdrew the policy on May 19, 2005, just hours before the U.S. House of Representatives voted to block EPA from finalizing it.

Sewer Overflows

In January 2001, EPA proposed to clarify and expand permit requirements for 19,000 municipal sanitary sewer collection systems in order to reduce sewer overflows. Sanitary sewers carry wastes from buildings to sewage treatment plants. When these sewers are overloaded, inadequately maintained or obstructed, they often overflow, dumping raw and inadequately treated sewage into basements, streets, and waterways. EPA estimates that at least 40,000 sanitary sewer overflows occur nationally each year.²⁸

The proposed Sanitary Sewer Overflow Rule, the product of a federal advisory committee that met for five years, would help communities improve some sanitary sewer systems by requiring facilities to develop and implement new capacity, management, operations, maintenance, and public notification programs.²⁹ This rule would, among other things, require sewer operators to monitor sewers and notify health authorities and the public when overflows could potentially harm public health. The Bush administration has blocked these regulations ever it assumed office.

Undercutting Enforcement and Protection

Budget cutbacks threaten EPA's abilities to effectively police polluters and protect the nation's waters. The Bush administration's Fiscal Year 2007 proposed budget would cut funding for EPA by more than \$300 million, four percent below this year's funding level. Including this current budget proposal, the Bush administration has cut EPA's budget by more than \$1 billion over the last three years.

The continued cuts to EPA's budget prevent the agency from putting more environmental cops on the beat and limit the number of inspections to detect violations of the Clean Water Act, Clean Air Act and other key environmental laws. The Bush administration's poor track record on environmental enforcement during its first term is well-documented. A December 2003 Knight Ridder analysis of 15 years of environmental enforcement records found that the Bush administration in its first three years caught and punished far fewer polluters than the two previous administrations.³⁰ Knight Ridder examined EPA data in 17 categories and subcategories of civil enforcement since January 1989 and compared the records of the past three administrations. In 13 of those 17 categories, the Bush administration had lower average numbers than the Clinton administration. And in 11 of those categories, the 2003 average was lower than the 2001 average, showing the trend increasing over time.

The monthly average of violation notices against polluters, a critical enforcement tool, dropped 58% compared with the Clinton administration's monthly average; notices of water pollution violations were down 74%. The study also found that administrative fines were down 28%, when adjusted for inflation, from Clinton administration levels. Civil penalties averaged 6% less, when adjusted for inflation. And the number of cases referred to the Justice Department for prosecution was down 5%.³¹ No similar studies have been done to examine the administration's enforcement record since 2003.

The president's proposed budget also cuts funding for the Clean Water State Revolving Fund (SRF) by \$199 million, a 22% decrease from funding levels in 2006. The Clean Water SRF provides low interest loans to communities to upgrade wastewater treatment systems and other water projects. This is the largest cut to any EPA program, representing a cut of nearly 50 percent from funding levels just three years ago. EPA projects that U.S. communities will have to spend at least \$388 billion over the next 20 years to address problems with the nation's water infrastructure, yet the administration continues to cut federal funding for these needed upgrades.³²

In addition, the president's budget cuts funding for programs to clean up the Great Lakes. In December 2005, President Bush's task force, the Great Lakes Regional Collaborative, announced its plan to restore the Great Lakes. The plan calls for \$20 billion to stop sewage pollution, clean up the most polluted areas of the lakes, protect wetlands, and prevent invasive species from entering the lakes. Despite the task force's recommendations, the president's proposed budget cuts \$2 million from the Great Lakes Fisheries Commission, which works to control invasive species that harm the region's fishery, and \$1 million from the Great Lakes Program Office, the office responsible for implementing the Great Lakes Regional Collaborative plan. The president's cuts to the Clean Water SRF also hurt the Great Lakes by reducing the funding needed to address the source of sewage pollution.

Other Rollbacks to the Clean Water Act

The Bush administration has proposed or enacted numerous other policies to chip away at Clean Water Act protections, including:

- In January 2006, the Bush administration proposed exempting sediment runoff at oil and gas construction sites from regulation under the Clean Water Act.³³ Sediment increases drinking water treatment costs and harms fish.
- In February 2005, the Bush administration proposed a rule to exclude pesticides from regulation under the Clean Water Act and allow pesticides to be discharged into rivers, lakes, streams, and other waters without a permit.³⁴
- In January 2004, the Bush administration, in a benefit to the coal-mining industry, proposed removing a Reagan-era rule known as the "buffer zone rule" that prohibits coal-mining activities from disrupting areas within 100 feet of streams.³⁵
- In May 2002, the Bush administration finalized a new rule that allows mountaintop removal coal operations and other mining industries to dump coal and hardrock mining waste, construction and demolition debris, and other solid industrial wastes into streams, rivers, coastal waters, wetlands, and other waterways—legally.³⁶
- In January 2002, the Army Corps of Engineers and EPA relaxed standards for Clean Water Act "nationwide permits" – five year general permits that allow the filling of wetlands and streams but do not receive the same level of environmental scrutiny as individual permits and provide no public notice or comment opportunity.³⁷

Recommendations

More than 30 years after passage of the Clean Water Act, its most basic promises remain unfulfilled. We need to tighten enforcement of the law and strengthen the Act's fundamental principles. Unless we punish polluters that exceed their permits and reduce the amount of pollution facilities can discharge legally, we will never realize the Clean Water Act's vision of waters free of toxic pollutants and safe enough for fishing and swimming.

The Bush Administration Should Strengthen, Not Weaken, the Clean Water Act

As detailed above, the Bush administration has suggested, formally proposed or enacted policies designed to limit the Clean Water Act in scope and in strength. Thirty years after the birth of this landmark legislation, more than 300,000 miles of rivers and shoreline and five million acres of lakes remain too contaminated for recreational use.³⁸ Rather than weakening the Clean Water Act, the Bush administration should:

- ◆ Withdraw the January 2003 policy directive that eliminates Clean Water Act protections for many small streams, wetlands, and other waters.
- ◆ Fund EPA at the levels necessary to hire adequate environmental enforcement staff and enforce the Clean Water Act.
- ◆ Fully fund the EPA's Clean Water State Revolving Fund to help communities improve their wastewater treatment systems.
- ◆ Direct EPA to ensure that all sewage is properly treated, implement the proposed rule to regulate sanitary sewer overflows, and improve public notification of overflows that threaten human health.
- ◆ Withdraw all proposed rules to exempt certain industries from the Clean Water Act.

Policy-Makers Should Tighten Enforcement of the Clean Water Act

The Bush administration should strengthen the Clean Water Act to help reach the goal of pollution-free waters.

◆ Prevent Facilities from Profiting from Pollution

The existing Clean Water Act allows "economic benefits" to be taken into consideration when assessing penalties. Unfortunately, EPA has acknowledged that penalties rarely recover the profits companies gain from their non-compliance. In other words, under current Clean Water Act enforcement practices, it often pays to pollute illegally, which creates incentives to break the law, allows states and violators to cut sweetheart deals, and places those who comply with the law at a competitive disadvantage. Courts and

administrative hearing officers should assess a penalty that exceeds the amount of economic benefit gained by the polluter as the result of its non-compliance. In addition, any state with an authorized Clean Water Act program should collect and make public all fines levied and collected against polluters.

◆ **Tighten Pollution Limits**

With the Clean Water Act, Congress intended to eliminate water pollution through a gradual tightening of permits based on emerging control technologies. The Act's authors envisioned progressive permit tightening, coupled with enforcement actions against permit violators, to eventually reduce industrial and municipal pollution levels and achieve the interim Clean Water Act goal of fishable and swimmable waterways and ultimately zero discharge.

Progressive permit tightening, however, has not occurred consistently. By failing to regularly reevaluate permit limits and lower allowable pollution levels based on advances in technology, the government is missing a fundamental opportunity to reduce and eliminate pollution.

◆ **Revoke Permits from Repeat Violators**

Under the principles of the Clean Water Act, EPA and state agencies are not issuing facilities permits to pollute indefinitely, but are granting them a temporary right to discharge pollution into waterways while they reduce and eventually eliminate their waste stream. This temporary right must not be taken for granted. EPA and state agencies should deny permit issuance or renewal to applicants whose compliance history shows a repeated pattern of significant noncompliance with the Clean Water Act.

◆ **Implement Pollution Prevention Initiatives**

Pollution prevention means reducing the use of chemical inputs in order to generate less toxic waste, rather than relying on end-of-pipe pollution control technologies to stop waste chemicals from entering water discharges. Pollution prevention tends to be more effective in cutting use of chemicals and often saves facilities money otherwise spent handling hazardous materials.

Each applicant for a permit to discharge one or more pollutants should be required to submit, with the application for the permit, a pollution prevention plan that details the applicant's plans for reducing and eliminating the use and discharge of such pollutants at a measurable rate.

◆ **Remove Current Obstacles to Citizen Suits**

Citizens should be allowed to sue for past violations of the Clean Water Act, similar to the 1990 amendments to the Clean Air Act. Furthermore, inadequate government enforcement actions should not preclude citizen suits. Only judicial or enforcement actions that recoup the full economic benefit gained by violating the law should preclude subsequent citizen enforcement.

Expand the Public's Right to Know

Access to accurate and consistent reporting is fundamental to the success of the Clean Water Act's permitting and enforcement programs. Without it, protection of our waterways is impossible.

◆ EPA should modernize the Permit Compliance System as soon as possible to ensure that permit data on all major facilities (at minimum) in each state are accurate, up-to-date, and comprehensive.

◆ EPA and the states should compile and make public an analysis of enforcement actions taken during the preceding year, including the number of enforcement actions; the type of enforcement action; the average penalty assessed and collected for each action; the number of facilities in noncompliance and the reason for such noncompliance; and the number and percentage of facilities with expired permits.

◆ EPA should maintain and expand the Toxics Release Inventory (TRI) program. Since 1987, TRI has ensured the public's right-to-know about toxic pollution in communities by requiring companies to disclose the pollution they release to the water, air, and land, transfer off site, or dispose in a waste dump. EPA should drop its proposed rule³⁹ to weaken the program by reducing the amount or quality of information available to the public and instead look for ways to expand TRI.

◆ EPA should expand the public's right to know to include information on chemical use. While TRI discloses facilities' direct discharges of chemical pollution every year, little public information exists about chemicals used in workplaces and placed in products. In order to move toward the Clean Water Act's goal of zero-discharge, industrial facilities need to practice pollution prevention—reducing the use of chemicals at the source—rather than relying on pollution control technologies to limit releases once waste has been generated. Requiring companies to disclose their chemical use gives them an incentive to reduce use. In Massachusetts, where chemical-use reporting is required in combination with pollution prevention planning, companies decreased their toxic chemical use by 38% between 1990 and 2003. These companies are generating 68% less byproducts or waste per unit of product and have reduced releases of certain on-site chemicals by 92%.⁴⁰

◆ EPA should maintain and expand the Enforcement and Compliance History Online (ECHO) database. The ECHO database provides the public with access to important information about facilities' compliance with the Clean Water Act, Clean Air Act, and Resource Conservation and Recovery Act. EPA should continue to expand the information provided to the public on this site and deny any requests by the regulated industries to remove any information from the public domain.

Methodology

1. Obtaining the data. To obtain the data, we submitted a Freedom of Information Act (FOIA) request in April 2005, to which EPA responded in September 2005.

2. Scope and source of the data. The data provided through the FOIA request contains summary data about active major facilities in the Clean Water Act's National Pollutant Discharge Elimination System. All information was generated from the Permit Compliance System (PCS) and Integrated Data for Enforcement Analysis (IDEA) system. The data covers the time period spanning July 1, 2003 through December 31, 2004.

3. Ensuring accuracy of the data. After receiving the data from EPA, we contacted each state agency—except in states where EPA administers the NPDES program—and offered them an opportunity to review the data for accuracy. The following states (in addition to the states where EPA administers the Clean Water Act) did not review any of the water quality data, due to resource limitations or failure to respond to repeated requests: Connecticut, Delaware, Georgia, Indiana, Iowa, Louisiana, Missouri, Montana, Nebraska, Tennessee, and Wyoming.

In addition to making the corrections noted by the state agencies, we deleted or updated the following records from the database provided by EPA:

- We deleted all exceedances greater than 10,000% as likely data entry errors, except for parameters such as fecal coliform and *e.coli*.

- In certain instances, PCS parameter-level effluent violations will show the value 99999% over limit. This value is a code indicating that PCS was not able to properly interpret the measurement that was submitted by the permittee. Therefore, 99999% values are not necessarily violations; as such, we excluded these 99999% values from our analysis, except as noted below.

- Some facilities reported discharges of "<" or ">" a given value. EPA's PCS database drops the "<" and ">" symbols and calculates the violation as the base number; in most cases, we were unable to verify whether the PCS database correctly calculated the percentage over the effluent permit limit. We eliminated all records for which states reported discharges using a character such as "<" or ">," except when the facility reported a discharge of ">" a given value that was higher than the permitted limit. We coded these records, which often show a 99999% value, as an "apparent exceedance of undetermined magnitude."

- Some facilities hold permits for parameters that do not set specific discharge limits but instead are PASS/FAIL or YES/NO. For many of these, EPA valued the exceedances at 99999%. We counted any violation of a PASS/FAIL or YES/NO permit parameter as a 100% exceedance.

- EPA provided us with data on facilities' compliance with their "concentration minimum" permits. We chose to exclude this data from our analysis given data quality concerns.

4. Data limitations. The data covers major facilities only. Facilities are designated as "major" based on an EPA scoring system that considers a combination of factors, including toxic pollutant potential,

streamflow volume, public health impacts, and proximity to coastal waters. For example, a major municipal facility is a publicly owned treatment works that serves a population of 10,000 or more, discharges one million gallons or more of wastewater daily, or has a significant impact on water quality. Because we only looked at major facilities, this report examines a small subset of the total number of facilities discharging pollutants into U.S. waters.

5. California, Oregon and Washington data. EPA expressed concern that the California, Oregon and Washington data were not complete. As such, we chose to exclude California, Oregon and Washington from the report's analysis. EPA is working with the states to update the data in PCS.

6. Michigan data. EPA also indicated that Michigan was in the process of inputting additional data into EPA's database. As a result, Michigan's violations may be under-reported.

7. Definition of "exceedance." We count any exceedance (greater than 0% above the permit level) for any given parameter during any given reporting period as an exceedance. If a facility exceeded its permit level for a given parameter for quantity average, quantity maximum, concentration average and concentration maximum during the same reporting period, we count this as four exceedances but as one facility in violation.

8. Definition of an "apparent exceedance of undetermined magnitude." In some cases, facilities report a discharge of ">" a given value. When this value was higher than the permitted limit, we coded each of these records as an "apparent exceedance of undetermined magnitude." For parameters such as fecal coliform, some facilities reported "T", which means "too many to count." We also categorized each of these instances as an "apparent exceedance of undetermined magnitude."

9. Calculating the average permit violation by state. To calculate the average exceedance (measured as the percent over the permit limit), we first averaged the exceedances by category (quantity average percent over, quantity maximum percent over, concentration average percent over, concentration maximum percent over), excluding non-violations and fields displaying EPA's 99999% code. We then averaged each of these four averages together to obtain each state's total average.

10. Number of major facilities by state and county. Data for the number of major facilities in each state and county, which forms the basis of the calculations in Table 1 and Table 2, were obtained by searching by state for all major facilities at http://www.epa.gov/echo/compliance_report_water.html.

Appendix A. Facilities Exceeding Their Clean Water Act Permits for at Least 9 of the 18 Reporting Periods between July 1, 2003 and December 31, 2004

State	Facility Number	Facility Name	County Name	Receiving Water	# of Reporting Periods with Exceedance
Alabama	AL0057657	ATTALLA CITY OF WWT LAGOON	ETOWAH	COOSA RIVER	18
Delaware	DE0000655	GENERAL CHEMICAL CORPORATION	NEW CASTLE	DELAWARE RIVER	18
Delaware	DE0050580	DELMARVA P & L INDIAN RIVER PO	SUSSEX	ISLAND CREEK (INDIAN RIVER)	18
District of Columbia	DC0021199	D.C. WASA (BLUE PLAINS)	WASHINGTON	POTOMAC, ANACOSTIA,& PINEY RIVERS	18
Florida	FL0026557	PLANT CITY STP	HILLSBOROUGH	WEST SIDE CANAL TO PEMBERTON CRK	18
Georgia	GA0047147	AUGUSTA (SPIRIT CRK WPCP)	RICHMOND	SPIRIT CRK TRIB/ SAV. RV	18
Hawaii	HI0020117	HONOLULU, CITY & CNTY	HONOLULU	PACIFIC OCEAN	18
Idaho	ID0022063	NAMPA, CITY OF	CANYON	INDIAN CREEK	18
Illinois	IL0022519	JOLIET EAST STP	WILL	HICKORY CREEK AT DES PLAINES RIVER	18
Illinois	IL0048526	ROMEVILLE STP #1 AND #2	WILL	DES PLAINES RIVER	18
Indiana	IN0022829	EAST CHICAGO MUNICIPAL STP	LAKE	GRAND CALUMET R TO LAKE MICHIGAN	18
Iowa	IA0021377	Carroll, City of STP	CARROLL	LATERAL NUMBER 77	18
Louisiana	LA0044008	NEW IBERIA, CITY OF (ADMIRAL D	IBERIA	SEG 0609 VERMILION-TECHE BASIN	18
Maine	ME0100617	SANFORD SEWERAGE DISTRICT	YORK	MOUSAM RIVER	18
Massachusetts	MA0100552	LYNN REGIONAL WPCF	ESSEX	LYNN HARBOR (BROAD SOUND)	18
Massachusetts	MA0100862	WINCHENDON WPCF	WORCESTER	MILLERS RIVER	18
Massachusetts	MA0100986	EAST FITCHBURG WWTF	WORCESTER	NASHUA RIVER, NORTH BRANCH	18
Mississippi	MS0003115	MISSISSIPPI PHOSPHATES CORP	JACKSON	BAYOU CASOTTE	18
New York	NY0033308	SENECA FALLS (V) WWTP	SENECA	SENECA R	18
Ohio	OH0001872	DETREX CORP.	ASHTABULA	FIELDS BROOK	18
Pennsylvania	PA0002062	RELIANT ENERGY NORTHEAST MGMT	ARMSTRONG	CROOKED CREEK/PLUM CREEK	18
Pennsylvania	PA0006327	ALLEGHENY LUDLUM CORP	WESTMORELAND	KISKIMINETAS RV & ELDER RUN	18
Pennsylvania	PA0012751	ZINC CORP OF AMERICA - PALMERT	CARBON	AQUASHICOLA CREEK & LEHIGH RIVER	18
Texas	TX0009148	CONOCOPHILLIPS COMPANY	HUTCHINSON	CANADIAN RIVER	18
Texas	TX0025950	NORTH TEXAS MWD	COLLIN	MUDDY CREEK, LAKE RAY	18
Texas	TX0053112	THE COLONY, CITY OF	DENTON	LAKE LEWISVILLE	18
Texas	TX0077232	CIBOLO CREEK MUNICIPAL AUTHORI	BEXAR	MID CIBOLO CREEK	18
West Virginia	WV0003336	ISG WEIRTON, INC.	HANCOCK	OHIO RIVER	18
West Virginia	WV0005533	CREO MANUFACTURING AMERICA	JEFFERSON	Turkey Run/Opequon Creek/Potomac Ri	18
West Virginia	WV0021792	CITY OF PETERSBURG	GRANT	Lunice Creek of South Potomac River	18
West Virginia	WV0022349	CHARLES TOWN CITY OF	JEFFERSON	EVITTS RUN/Shenandoah River	18
West Virginia	WV0023175	ST ALBANS CITY OF	KANAWHA	Kanawha River/Ohio River	18
West Virginia	WV0023230	WHEELING CITY OF	OHIO	OHIO RIVER	18
West Virginia	WV0027472	NEW MARTINSVILLE CITY OF	WETZEL	OHIO RIVER	18
West Virginia	WV0032336	BUCKHANNON CITY OF	UPSHUR	BUCKHANNON RIVER/Tygart Valley Rive	18
Alaska	AK0022951	JUNEAU, CITY & BOROUGH OF	JUNEAU DIV	MENDENHALL RIVER	17
Arkansas	AR0021661	CABOT, CITY OF	LONOKE	TRIB, BU TWO PRAIRIE	17
Arkansas	AR0022250	DERMOTT, CITY OF-SOUTH POND	CHICOT	BU BARTHOLOMEW,OUACHITA RV	17

State	Facility Number	Facility Name	County Name	Receiving Water	# of Reporting Periods with Exceedance
Arkansas	AR0034380	STUTT GART, CITY OF	ARKANSAS	DIT,KING BU,BU METO,ARKANSAS RV	17
Georgia	GA0003646	KERR-MCGEE PIGMENTS	CHATHAM	SAVANNAH RV	17
Hawaii	HI0110230	US NAVY	HONOLULU	PEARL HARBOR	17
Illinois	IL0031488	TROY STP	MADISON	TROY CK-WENDEL BR-SILVER CK-KSKSKIA	17
Iowa	IA0035947	CLINTON CITY OF STP	CLINTON	MISSISSIPPI RIVER	17
Massachusetts	MA0100030	MARION WWTF	PLYMOUTH	BROOK TO AUCCOT COVE TO BUZZARDS	17
Massachusetts	MA0100625	GLOUCESTER WPCF	ESSEX	GLOUCESTER HARBOR (ATLANTIC OCEAN)	17
New Hampshire	NH0100790	KEENE WWTF	CHESHIRE	ASHUELOT RIVER	17
New York	NY0020290	AMSTERDAM (C) WWTP	MONTGOMERY	MOHAWK R	17
Pennsylvania	PA0002437	SHENANGO INC	ALLEGHENY	OHIO RIVER	17
Pennsylvania	PA0005037	EME HOMER CITY GENERATION LP	INDIANA	TRIB TWO LICK CREEK/BLACKLICK CR	17
Tennessee	TN0024287	HALLSDALE-POWELL-BEAVER CR. ST	KNOX	BEAVER CR	17
Tennessee	TN0026247	BELLS LAGOON	CROCKETT	FORKED DEER RV	17
West Virginia	WV0024589	WELCH CITY OF	MCDOWELL	Tug Fork/Big Sandy River/Ohio River	17
West Virginia	WV0028088	WESTON CITY OF	LEWIS	WEST FORK RIVER	17
Alaska	AK0021547	CORDOVA, CITY OF	CORDOVA-MCCARTHY DI	ORCA INLET	16
Connecticut	CT0001384	415 WASHINGTON AVE. PARTNERS	NEW HAVEN	QUINNIPIAC RIVER	16
Connecticut	CT0100366	NEW HAVEN EAST SHORE WPCF	NEW HAVEN	NEW HAVEN HARBOR	16
Florida	FL0173371	SPENCER'S WWTP	CLAY	SPENCER WETLAND	16
Indiana	IN0025135	AUSTIN MUNICIPAL WWTP	SCOTT	MUSCATATUCK R VIA STUCKER CR -HUTTO	16
Kentucky	KY0020036	NICHOLASVILLE STP	JESSAMINE	TOWN BR	16
Kentucky	KY0095877	NORTH AMERICAN STAINLESS	CARROLL	OHIO RIVER	16
Louisiana	LA0036412	E BATON ROUGE CITY-PAR (SOUTH)	EAST BATON ROUGE	MISSISSIPPI RIVER	16
Louisiana	LA0042048	JEFFERSON PARISH-MARRERO STP	JEFFERSON	MAYRONNE CANAL/MILLAUDON CANAL	16
Louisiana	LA0110931	CS METALS OF LA INC-	SAINT JAMES	BLIND RIVER	16
Maine	ME0102075	PORTLAND WATER DIST.-PORTLAND	CUMBERLAND	CASCO BAY	16
Massachusetts	MA0101061	NORTH BROOKFIELD WWTP	WORCESTER	DUNN BROOK	16
Mississippi	MS0025526	MCCOMB POTW - EAST SAND FILTER	PIKE	TOWN CREEK	16
New Hampshire	NH0100234	PORTSMOUTH-PIERCE ISLAND WWTP	ROCKINGHAM	PISCATAQUA RIVER	16
New York	NY0026697	NEW ROCHELLE SD	WESTCHESTER	LONG ISLAND SOUND	16
Ohio	OH0027600	CITY OF STRUTHERS	MAHONING	MAHONING	16
Oklahoma	OK0038440	ARDMORE, CITY OF	CARTER	310800 SAND CK/TR/CADDO CK/WASHITA	16
Rhode Island	RI0100072	NBC - BUCKLIN POINT WWTF	PROVIDENCE	SEERONK/MOSHASSUCK & BLACKSTONE RIV	16
West Virginia	WV0020028	ELKINS CITY OF	RANDOLPH	Tygart Valley River/Monongahela Riv	16
Arizona	AZ0020150	US IBWC	SANTA CRUZ	SANTA CRUZ RIVER	15
Arizona	AZ0021555	NAVAJO TRIBAL UTILITY AUTH	APACHE	BLACK CREEK	15
Florida	FL0020532	ORMOND BEACH STP	VOLUSIA	HALIFAX RV	15
Florida	FL0023922	ORANGE PARK-ASH ST STP	CLAY	SAINT JOHNS RIVER	15
Idaho	ID0020095	BURLEY, CITY OF	CASSIA	SNAKE RIVER	15
Illinois	IL0023612	CLINTON SD STP	DE WITT	COON CK-SALT CK-SANGAMON RIVER	15
Illinois	IL0024767	SPRINGFIELD CWLP	SANGAMON	LAKE SPRINGFIELD	15
Illinois	IL0028517	DUQUOIN STP	PERRY	REESE CREEK (BIG MUDDY BASIN)	15
Indiana	IN0000281	U.S. STEEL LLC - GARY WORKS	LAKE	GRAND CALUMET R TO LAKE MICHIGAN	15
Indiana	IN0022977	GARY WASTEWATER TREATMENT PLNT	LAKE	GRAND CALUMET R & LITTLE CALUMET R	15
Indiana	IN0032964	CRAWFORDSVILLE WWTP, CITY OF	MONTGOMERY	OR/WABASH RIVER/SUGAR CREEK	15

State	Facility Number	Facility Name	County Name	Receiving Water	# of Reporting Periods with Exceedance
Louisiana	LA0041751	EUNICE, CITY OF (ST LANDRY)	ST LANDRY	BAYOU MALLETT	15
Massachusetts	MA0100650	MILLBURY WWTP	WORCESTER	TIED INTO UPPER BLACKSTONE	15
Massachusetts	MA0100722	NORTHBRIDGE WWTP	WORCESTER	UNNAMED BROOK TO BLACKSTONE RIVER	15
Mississippi	MS0027294	E I DU PONT DE NEMOURS-DELISLE	HARRISON	SAINT LOUIS BAY	15
Missouri	MO0023221	MACON WWTF	MACON	SEWER CR	15
Missouri	MO0030970	ST PETERS, SPENCER CR STP	SAINT CHARLES	SPENCER CR	15
New York	NY0027901	OCSD #1 HARRIMAN STP	ORANGE	RAMAPO R	15
North Carolina	NC0023981	Lenoir Lower Creek WWTP	CALDWELL	Lower Creek	15
North Carolina	NC0024112	Thomasville Hamby Creek WWTP	DAVIDSON	Hamby Creek	15
Ohio	OH0024040	CITY OF BEDFORD	CUYAHOGA	WOOD CREEK	15
Ohio	OH0049379	CLERMONT CO. COMMISSIONERS	CLERMONT	UNT EAST FORK OF LITTLE MIAMI	15
Pennsylvania	PA0026778	WINDBER AREA AUTH	CAMBRIA	UNT OF STONY CREEK & STONY CREEK	15
Rhode Island	RI0000043	BRADFORD DYEING ASSOC., INC.	WASHINGTON	PAWCATUCK WOOD	15
Tennessee	TN0020541	SMYRNA STP	RUTHERFORD	STEWARTS CR	15
West Virginia	WV0082759	BERKELEY COUNTY PSSD	BERKELEY	EAGLE RUN	15
Alabama	AL0022632	BAYOU LA BATRE U B WWTP	MOBILE	PORTSVILLE BAY	14
Alabama	AL0023205	PRICHARD WWSB C A MORRIS PT	MOBILE	THREE MILE CREEK	14
Arkansas	AR0036498	BENTON, CITY OF	SALINE	TRIB,DEPOT CK,SALINE RV	14
Georgia	GA0023949	MCDONOUGH (WALNUT CRK WPCP)	HENRY	WALNUT CRK. TRIB/TO SOUTH RIVER....	14
Illinois	IL0021989	SPRINGFIELD SD SPRING CREEK	SANGAMON	SANGAMON RIVER AND SPRING CREEK	14
Illinois	IL0023027	DEKALB S.D. STP	DE KALB	S BR KISHWAUKEE RVR TO ROCK RIVER	14
Illinois	IL0026514	ROCK FALLS STP	WHITESIDE	ROCK RIVER	14
Illinois	IL0033481	GRANITE CITY WWTP	MADISON	CHAIN OF ROCKS CANAL	14
Indiana	IN0025666	MADISON MUNICIPAL STP	JEFFERSON	OHIO RIVER	14
Louisiana	LA0033430	OAKDALE, CITY OF	ALLEN	BEAVER CREEK/BOGGY CREEK/EAST FORK	14
Louisiana	LA0038059	WESTWEGO, CITY OF	JEFFERSON	WPCA CANAL	14
Maine	ME0100323	MACHIAS WWTF	WASHINGTON	MACHIAS RIVER	14
Massachusetts	MA0100609	IPSWICH WWTF	ESSEX	GREENWOOD CREEK TO IPSWICH RIVER	14
Massachusetts	MA0101010	BROCKTON A W R F	PLYMOUTH	SALISBURY PLAIN RIVER	14
Massachusetts	MA0101036	NORTH ATTLEBOROUGH WWTP	BRISTOL	TEN MILE RIVER	14
Massachusetts	MA0101214	GREENFIELD W P C P	FRANKLIN	GREEN RIVER TO DEERFIELD RIVER	14
Mississippi	MS0029513	DCRUA/OLIVE BRANCH POTW	DE SOTO	CAMP CREEK	14
Mississippi	MS0053503	CHOCTAW PEARL RIVER WWTP	NESHOBA	WOLF CRK TO KENTAWKA CNL TO PEARL R	14
New Hampshire	NH0022055	ENVIROSYSTEMS INCORPORATED	ROCKINGHAM	TAYLOR RIVER	14
New Hampshire	NH0023361	NEWINGTON POWER FACILITY	ROCKINGHAM	PISCATAQUA RIVER	14
New Mexico	NM0020621	NAVAJO TRIBAL UTILITY AUTH	SAN JUAN	SAN JUAN RIVER	14
New York	NY0022225	NOTT ROAD STP	ALBANY	NORMANSKILL CK	14
North Carolina	NC0025909	Rutherfordton WWTP	RUTHERFORD	Cleghorn Creek	14
Ohio	OH0020834	CITY OF JACKSON	JACKSON	SALT LICK CREEK	14
Ohio	OH0025364	CITY OF GIRARD	TRUMBULL	LITTLE SQUAW CREEK	14
Ohio	OH0045322	WEST CARROLLTON PARCHMENT	MONTGOMERY	OWL CREEK	14
Ohio	OH0054305	FAIRFIELD CO COMMISSIONERS	FAIRFIELD	BLACKLICK CREEK	14
Ohio	OH0127931	HANGING ROCK ENERGY FACILITY	LAWRENCE	OHIO RIVER (MILE MARKER 333)	14
Pennsylvania	PA0002208	HORSEHEAD CORP	BEAVER	OHIO RIVER	14
Pennsylvania	PA0008923	CORNING ASAHI VIDEO PROD CO	CENTRE	UNT TO LOGAN BRANCH	14

State	Facility Number	Facility Name	County Name	Receiving Water	# of Reporting Periods with Exceedance
Pennsylvania	PA0025984	ALLEGHENY COUNTY SANITARY AUTH	ALLEGHENY	OHIO RIVER	14
Rhode Island	RI0000191	KENYON INDUSTRIES, INC.	WASHINGTON	PAWCATUCK RIVER	14
Rhode Island	RI0100293	NEWPORT WWTF	NEWPORT	NEWPORT HARBOR, NORTH END	14
Tennessee	TN0020877	LAFAYETTE STP	MACON	TOWN CR MI 1.3	14
Tennessee	TN0021261	SPRING CITY STP	RHEA	WATTS BAR LAKE	14
Tennessee	TN0021865	PORTLAND STP	SUMNER	TR-SUMMERS BR	14
Tennessee	TN0065358	SMITHVILLE STP	DE KALB	FALL CREEK AT MILE 4.7	14
Texas	TX0021725	MARLIN, CITY OF	FALLS	BRAZOS RIVER SEG NO. 1242	14
Texas	TX0054526	SEAGOVILLE, CITY OF	DALLAS	UNNAMED TRIBUTARY, TRINITY RIVER	14
Texas	TX0100587	JACKSONVILLE, CITY OF (DOUBLE	CHEROKEE	UNNAMED-RAGSDALE CREEK	14
Virginia	VA0003867	Omega Protein - Reedville	NORTHUMBERLAND	COCKRELLS CK	14
West Virginia	WV0000086	BAYER CROPSCIENCE INSTITUTE SI	KANAWHA	KANAWHA RIVER	14
Alaska	AK0020010	SKAGWAY, CITY OF	SKAGWAY-YAKUTAT DIV	TAIYA INLET	13
Florida	FL0038857	APALACHICOLA, CITY OF	FRANKLIN	TRIB TO HUCKLEBERRY CR	13
Florida	FL0041670	NORTHWEST REGIONAL WRF	HILLSBOROUGH	CHANNEL A	13
Illinois	IL0031356	TAYLORVILLE SD STP	CHRISTIAN	PANTHER CREEK	13
Indiana	IN0023132	HUNTINGTON MUNICIPAL WWTP	HUNTINGTON	OHIO RIVER FROM WABASH RIVER	13
Indiana	IN0023582	LIGONIER MUNICIPAL STP	NOBLE	ELKHART R TO ST JOSEPH RIVER	13
Iowa	IA0000256	ROQUETTE AMERICA, INC.	LEE	SOAP CREEK	13
Iowa	IA0035866	KNOXVILLE CITY OF STP	MARION	COMPETINE CREEK	13
Iowa	IA0036153	GARNER CITY OF STP	HANCOCK	EAST BRANCH IOWA RIVER	13
Louisiana	LA0067083	SULPHUR,CITY OF-WWTP	CALCASIEU	CALCASIEU RIVER	13
Massachusetts	MA0100919	SPENCER WWTP	WORCESTER	CRANBERRY BROOK (SEVEN MILE RVR)	13
Massachusetts	MA0101257	ORANGE WWTP	FRANKLIN	MILLERS RIVER	13
New York	NY0006670	NEPERA, INC	ORANGE	RAMAPO R	13
New York	NY0026743	YORKTOWN HEIGHTS SD WWTP	WESTCHESTER	HALLOCKS MILL BK	13
New York	NY0026956	ONEIDA (C) STP	MADISON	ONEIDA CK	13
North Carolina	NC0026514	Raeford WWTP	HOKE	Rockfish Creek	13
Ohio	OH0010910	TITANIUM METALS CORP.	JEFFERSON	JEDDO RUN	13
Ohio	OH0020532	CITY OF BRYAN	WILLIAMS	PRAIRIE CREEK	13
Ohio	OH0021083	CITY OF GREENFIELD	HIGHLAND	PAINT CREEK	13
Ohio	OH0023221	CITY OF RAVENNA	PORTAGE	HOMMON AVE DITCH	13
Oklahoma	OK0027677	IDABEL PUBLIC WORKS AUTHORITY	MCCURTAIN	410200 MUD CREEK/THE LITTLE RIVER	13
Oklahoma	OK0028134	OKMULGEE, CITY OF	OKMULGEE	520700 OKMULGEE CK/TRIB/DEEP FORK	13
Pennsylvania	PA0026387	ST MARYS MUN AUTH	ELK	ELK CREEK	13
Pennsylvania	PA0216941	FOREST HILLS MUN AUTH	CAMBRIA	LITTLE CONEMAUGH RIVER	13
Rhode Island	RI0100153	WEST WARWICK WWTF	KENT	PAWTUXET RIVER	13
Tennessee	TN0020672	ROGERSVILLE STP	HAWKINS	CHEROKEE LK-RM 9	13
Tennessee	TN0021687	PULASKI STP	GILES	RICHLAND CR	13
Tennessee	TN0024341	LEXINGTON-EAST LAGOON	HENDERSON	BEECH RV	13
Texas	TX0100170	DAYTON, CITY OF	LIBERTY	DRAINAGE DITCH;LINNEY CREEK;SPRING	13
Alaska	AK0043451	UNALASKA, CITY OF	ALEUTIAN ISLANDS DI	UNALASKA BAY	12
Arkansas	AR0048801	BARLING, CITY OF	SEBASTIAN	ARKANSAS RV	12
Florida	FL0020559	PORT ORANGE WWTP	VOLUSIA	HALIFAX RV	12
Florida	FL0021512	PANAMA CITY BEACH STP	BAY	WEST BAY	12

State	Facility Number	Facility Name	County Name	Receiving Water	# of Reporting Periods with Exceedance
Florida	FL0026387	PERRY STP	TAYLOR	SPRING CREEK	12
Florida	FL0027677	HOLLY HILL ADVANCED WWTF	VOLUSIA	HALIFAX RV	12
Georgia	GA0020486	MONTEZUMA WPCP #2	MACON	SPRING CRK/Downstream of Drayton Rd	12
Illinois	IL0028550	EAST MOLINE REGIONAL WWTP	ROCK ISLAND	MISSISSIPPI RIVER	12
Indiana	IN0032719	ELWOOD MUNICIPAL STP	MADISON	W FK WHITE R VIA BIG DUCK CREEK	12
Kansas	KS0051942	ABILENE, CITY OF	DICKINSON	LWR SMOKY HILL RIVER	12
Kentucky	KY0021270	LONDON STP	LAUREL	WHITLEY BR	12
Kentucky	KY0021440	MORGANFIELD STP	UNION	CASEY CRK	12
Kentucky	KY0024317	COLUMBIA STP	ADAIR	RUSSELL CRK	12
Kentucky	KY0082007	GEORGETOWN STP #2	SCOTT	LANES RUN	12
Louisiana	LA0032131	ST CHARLES PARISH PH-LULING ST	SAINT CHARLES	GEORGE COUSIN CANAL	12
Louisiana	LA0032328	HAMMOND CITY OF SOUTH POND	TANGIPAHOA	NATALABANY R TICKFAW R L MAUREPAS	12
Louisiana	LA0038814	VILLE PLATTE, CITY OF	EVANGELINE	BAYOU JOE MARCEL	12
Louisiana	LA0045730	DENHAM SPRINGS, CITY OF	LIVINGSTON	AMITE RIVER/LAKE PONTCHARTRAIN	12
Maryland	MD0056545	SOD RUN WWTP	HARFORD	BUSH RIVER	12
Massachusetts	MA0100579	MILFORD WWTF	WORCESTER	CHARLES RIVER	12
Michigan	MI0004154	MARTIN MARIETTA-MAGN SPEC INC	MANISTEE	MANISTEE LAKE, MANISTEE R CHAN	12
Mississippi	MS0054992	CLINTON POTW - SOUTHSIDE	HINDS	BAKERS CREEK	12
New Jersey	NJ0004391	COLORITE POLYMERS COMPANY	BURLINGTON	MARTER'S DITCH	12
New Mexico	NM0029165	RUIDOSO-RUIDOSO DOWNS WWTP-LIN	LINCOLN	SEG 2-208 PECOS RIVER BASIN	12
New York	NY0020508	SALAMANCA (C) WWTP	CATTARAUGUS	ALLEGHENY R	12
New York	NY0020656	SPENCERPORT (V) WWTP	MONROE	NORTHROP CK	12
New York	NY0020958	CAYUGA HEIGHTS (V) WWTP	TOMPKINS	CAYUGA L	12
New York	NY0022128	GREAT NECK (V) WPCP	NASSAU	MANHASSET BAY	12
New York	NY0023256	VALLEY RIVER, INC	ORLEANS	SANDY CK E BR	12
New York	NY0023647	HORNELL (C) WPCP	STEBEN	CANISTEO R	12
New York	NY0026034	EAST GREENBUSH (T) WWTP	RENSSELAER	HUDSON R	12
New York	NY0026786	PORT CHESTER SANITARY SD WWTP	WESTCHESTER	BYRAM R	12
New York	NY0028851	STONY POINT (T) WWTP	ROCKLAND	HUDSON R	12
New York	NY0030988	GREENPORT (T) STP	COLUMBIA	CLAVERACK CK	12
North Carolina	NC0020044	Williamston WWTP	MARTIN	ROANOKE RIVER	12
North Carolina	NC0041408	Anson County Regional WWTP	ANSON	PEE DEE RIVER	12
Ohio	OH0011371	WHEELING PITTSBURG STEEL	JEFFERSON	OHIO RIVER	12
Ohio	OH0021628	CITY OF AMHERST	LORAIN	BEAVER CREEK	12
Ohio	OH0026328	CITY OF MANSFIELD	RICHLAND	ROCKY FORK MOHICAN RIVR	12
Ohio	OH0076490	OHIO DEPT OF REHAB & CORR	ROSS	SCIOTO RIVER	12
Oklahoma	OK0031798	MIAMI, CITY OF -SOUTHEAST WSTW	OTTAWA	121600 NEOSHO RIVER	12
Oklahoma	OK0031909	BLACKWELL, CITY OF	KAY	621100 CHIKASKIA RIVER	12
Oklahoma	OK0035246	LAWTON, CITY OF-LAWTON STP	COMANCHE	311300 NINEMILE CREEK/E CACHE CK	12
Pennsylvania	PA0000868	WHEATLAND TUBE CO - DIVISION O	MERCER	SHENANGO RIVER	12
Pennsylvania	PA0223034	DUFERCO FARRELL CORP	MERCER	SHENANGO RIVER	12
Tennessee	TN0020656	CLARKSVILLE STP	MONTGOMERY	BARKLEY RES @ CUMBERLAND MI 125	12
Tennessee	TN0058181	LOUDON STP	LOUDON	TENNESSEE RV	12
Tennessee	TN0064688	MONTEREY STP	PUTNAM	FALLING WATER RIVER MILE 46.1	12
Tennessee	TN0075078	BROWNSVILLE WWT LAGOON	HAYWOOD	SOUTH FORK FORKED DEER RV ML 30.6	12

State	Facility Number	Facility Name	County Name	Receiving Water	# of Reporting Periods with Exceedance
Texas	TX0004715	ALCOA WORLD ALUMINA LLC AND AL	CALHOUN	LAVACA BAY	12
Texas	TX0088633	N TEXAS MWD-WILSON CREEK	COLLIN	SEG 0821 LAKE LAVON	12
Texas	TX0101915	FORT BEND COUNTY MUD NO. 106	FORT BEND	VIA PIPELINE TO RABBS BAYOU	12
Utah	UT0020109	SPANISH FORK CITY CORP	UTAH	DRY CREEK	12
Vermont	VT0100242	NORTHFIELD MTP	WASHINGTON	DOG RIVER	12
Wisconsin	WI0025593	SUPERIOR SEWAGE DISPOSAL SYSTE	DOUGLAS	SUPERIOR BAY-ST	12
Alabama	AL0020206	ATHENS UTILITIES WWTP	LIMESTONE	TOWN CREEK	11
Delaware	DE0000558	CONECTIV DELMARVA GENERATION	NEW CASTLE	DELAWARE RIVER	11
Florida	FL0000051	E I DUPONT DE NEMOURS - TRAILR	BRADFORD	ALLIGATOR CREEK	11
Illinois	IL0028622	EFFINGHAM STP	EFFINGHAM	UNNAMED TRIB SALT CK-WABASH RVR	11
Illinois	IL0030660	PERU STP #1	LA SALLE	ILLINOIS RIVER	11
Indiana	IN0020095	PORTLAND MUNICIPAL WWTP	JAY	OR/WABASH RIVER/SALAMONIE RIVER	11
Indiana	IN0021024	WINCHESTER MUNICIPAL WWTP	RANDOLPH	W FK WHITE RIVER	11
Indiana	IN0023914	NEW CASTLE MUNICIPAL STP	HENRY	BIG BLUE R TO DRIFTWOOD RIVER	11
Iowa	IA0032344	OELWEIN CITY OF STP	FAYETTE	OTTER CREEK	11
Kansas	KS0032123	IOLA, CITY OF	ALLEN	NEOSHO RIVER	11
Kentucky	KY0052752	MOREHEAD STP	ROWAN	LICKING RIVER	11
Louisiana	LA0059951	WALKER, TOWN OF	LIVINGSTON	TAYLOR CR,MIDDLE COLYELL CK,AMITE R	11
Massachusetts	MA0100196	UPTON WWTP	WORCESTER	WEST RIVER	11
Michigan	MI0022853	EAST LANSING WWTP	INGHAM	RED CEDAR RIVER	11
Minnesota	MN0040665	SO MINNESOTA BEET SUGAR COOP	RENVILLE	CD 37-E FK BEAVE	11
Minnesota	MN0055301	NORTHSHORE MINING/SILVER BAY P	LAKE	BEAVER R	11
Mississippi	MS0042030	BOONEVILLE POTW	PRENTISS	TUSCUMBIA RIVER	11
Missouri	MO0001171	AECI, NEW MADRID PP	NEW MADRID	MISS/PORTAGE BAYOU	11
Missouri	MO0025283	UNION WWTF	FRANKLIN	BOURBEUSE R.	11
Missouri	MO0080632	FESTUS-CRYSTAL CITY STP	JEFFERSON	PLATTIN CR.	11
Montana	MT0020311	LAUREL- CITY OF	YELLOWSTONE	YELLOWSTONE RIVER	11
Nebraska	NE0021504	MCCOOK WWTF	RED WILLOW	TRIB RE RIVER	11
New Hampshire	NH0100471	MILFORD WWTF	HILLSBOROUGH	SOUHEGAN RIVER	11
New Hampshire	NH0100595	JAFFREY WWTF	CHESHIRE	CONTOOCCOOK RIVER	11
New York	NY0004103	HORSEHEADS FACILITY	CHEMUNG	DIVEN CK	11
New York	NY0005193	RAVENSWOOD GENERATING STATION	QUEENS	EAST R	11
New York	NY0020125	LOWVILLE (V) MUNICIPAL PCP	LEWIS	MILL CK	11
New York	NY0021849	ATTICA (V) WWTP	WYOMING	TONAWANDA CK	11
New York	NY0022365	WATERLOO (V) STP	SENECA	SENECA R	11
New York	NY0022446	NEW WINDSOR (T) STP	ORANGE	MOODNA CK	11
New York	NY0022543	ERIE CO SD#2 WWTP @ BIG SISTER	ERIE	BIG SISTER CK	11
New York	NY0023582	CHATHAM (V) WWF	COLUMBIA	STONY KILL	11
New York	NY0027049	MARSH CREEK WWTP	ONTARIO	SENECA L	11
New York	NY0031003	AKRON (V) WWTP	ERIE	MURDER CK	11
North Carolina	NC0032077	Contentnea Metro Swrg Dist Con	PITT	Contentnea Creek	11
Ohio	OH0025488	HAMILTON COUNTY	HAMILTON	SYCAMORE CREEK	11
Ohio	OH0027324	CITY OF SALEM	COLUMBIANA	MIDDLE FORK, LITTLE BEAVER CREEK	11
Ohio	OH0048372	MIBA AG	MORGAN	MUSKINGUM RIVER	11
Ohio	OH0127841	DUKE ENERGY WASHINGTON, LLC	WASHINGTON	MUSKINGUM RIVER	11

State	Facility Number	Facility Name	County Name	Receiving Water	# of Reporting Periods with Exceedance
Pennsylvania	PA0027138	SHARON CITY	MERCER	SHENANGO RIVER	11
Pennsylvania	PA0043885	GREATER POTTSVILLE AREA SEWER	SCHUYLKILL	SCHUYLKILL RIVER	11
Pennsylvania	PA0110965	MID-CENTRE COUNTY AUTH	CENTRE	UNT OF BALD EAGLE CREEK	11
South Carolina	SC0038156	YORK/FISHING CREEK WWTF	YORK	FISHING CREEK	11
Tennessee	TN0020095	KINGSPORT STP	SULLIVAN	SO FORK-HOLSTON	11
Tennessee	TN0061701	KINGSTON STP	ROANE	Clinch River @ M 0.28	11
Texas	TX0023655	GALVESTON COUNTY WCID NO. 1	GALVESTON	DICKINSON BAYOU TIDAL	11
Texas	TX0047601	SAN BENITO, CITY OF	CAMERON	SEG. NUECES-RIO GRANDE COSTAL	11
Texas	TX0124427	SHIN-ETSU SILICONES OF AMERICA	BRAZORIA	DOW PLANT "A" CANAL, SEG NO. 1201	11
Utah	UT0000281	MILLER-E A, INC	CACHE	DITCH TO SPRING CREEK	11
West Virginia	WV0004511	WHEELING PITTSBURGH STEEL CORP	OHIO	OHIO RIVER	11
West Virginia	WV0020630	SUMMERSVILLE TOWN OF	NICHOLAS	ARBUCKLE CREEK/Gauley River/Kanawha	11
West Virginia	WV0037486	UNION PSD	MONROE	Kanawha River/Ohio River	11
Alabama	AL0003247	SLOSS INDUSTRIES CORPORATION	JEFFERSON	FIVE MILE CR	10
Alabama	AL0023418	JASPER WWSB INC WWTP	WALKER	TOWN CREEK TO CANE CREEK	10
Alabama	AL0024589	COLUMBIANA CITY OF WWTP	SHELBY	UT TO WAXAHATCHEE CREEK	10
Alabama	AL0025828	ALABASTER CITY OF WTP	SHELBY	BUCK CREEK	10
Alabama	AL0050237	H C MORGAN WPCF AUBURN CITY OF	LEE	PARKERSON MILL CREEK	10
Alabama	AL0055786	SARALAND CITY OF SARALAND WWTP	MOBILE	BAYOU SARA	10
Connecticut	CT0025305	QUALITY ROLLING & DEBURRING CO	LITCHFIELD	NAUGATUCK RIVER	10
Connecticut	CT0100242	GROTON WPCF TOWN OF	NEW LONDON	THAMES RIVER	10
Connecticut	CT0100447	PLAINFIELD NORTH WPCF	WINDHAM	MOOSUP RIVER	10
Connecticut	CT0100714	CITY OF SHELTON, CITY HALL	FAIRFIELD	HOUSATONIC RIVER	10
Connecticut	CT0101087	STAMFORD STP	FAIRFIELD	STAMFORD HARBOR	10
Florida	FL0025984	DAYTONA BCH REG/BETH PT WWTPS	VOLUSIA	HALIFAX RV	10
Florida	FL0027511	ARCADIA - WILLIAM TYSON WWTP	DE SOTO	PEACE RIVER	10
Georgia	GA0020966	WAYCROSS WPCP	WARE	SATILLA RV	10
Illinois	IL0031844	DUPAGE COUNTY-WOODRIDGE STP	DU PAGE	E BRNCH OF DUPAGE RVR & CRABTREE CK	10
Illinois	IL0032735	BOLINGBROOK WRF #2	WILL	EAST BRANCH OF DUPAGE RIVER	10
Indiana	IN0060917	WARSAW WWTP #2	KOSCIUSKO	TIPPECANOE RIVER	10
Iowa	IA0075302	JESUP, CITY OF STP (SOUTH)	BUCHANAN	SPRING CREEK	10
Louisiana	LA0036323	RUSTON, CITY-NORTHSIDE STP	LINCOLN	COLVIN CK-CYPRESS CK-BAYOU D'ARBONN	10
Louisiana	LA0038431	AMITE CITY, TOWN OF	TANGIPAOHA	TANGIPAOHA RIVER	10
Louisiana	LA0038962	MANSFIELD, CITY OF	DE SOTO	BAYOU NABONCHASSE	10
Louisiana	LA0043915	WINNFIELD, CITY OF-WATER PLT	WINN	CREOSOTE BRANCH	10
Maine	ME0101478	LEWISTON AUBURN W P C A	ANDROSCOGGIN	ANDROSCOGGIN RIVER	10
Massachusetts	MA0004928	MIRANT CANAL LLC	BARNSTABLE	CAPE COD CANAL	10
Massachusetts	MA0102148	BELCHERTOWN WWTP	HAMPSHIRE	LAMPSON BROOK	10
Massachusetts	MA0102202	HOPEDALE WWTP	WORCESTER	MILL RIVER	10
Minnesota	MN0046981	NORTHSHORE MINING CO:CLIFFS MN	SAINT LOUIS	PRTRDG R(2223)DNKA R,LNGLY CR(0702)	10
Mississippi	MS0000931	PIPER IMPACT INCORPORATED	UNION	JASPER CREEK	10
Mississippi	MS0020117	MERIDIAN POTW	LAUDERDALE	SOWASHEE CREEK	10
Missouri	MO0101702	EXIDE TECHNOLOGIES	HOLT	CANON CR TO KINSEY B	10
Nebraska	NE0027936	GERING WWTF	SCOTTS BLUFF	NORTH PLATTE R	10
New Hampshire	NH0100455	DURHAM WWTF	STRAFFORD	OYSTER RIVER ESTUARY	10

State	Facility Number	Facility Name	County Name	Receiving Water	# of Reporting Periods with Exceedance
New York	NY0020681	BLASDELL (V) WWTP	ERIE	LAKE ERIE	10
New York	NY0021342	HUNTINGTON (T) STP	SUFFOLK	HUNTINGTON HARB	10
New York	NY0028339	FRANK E VAN LARE WWTP	MONROE	L ONTARIO	10
North Carolina	NC0024872	Davie Co Wtr Sys Cooleemee WWT	DAVIE	South Yadkin River	10
North Carolina	NC0025445	Randleman WWTP	RANDOLPH	DEEP RIVER	10
North Carolina	NC0030970	Spring Lake WWTP	CUMBERLAND	Little River (Lower Little River)	10
North Dakota	ND0023434	BISMARCK CITY OF	BURLEIGH	MISSOURI RIVER	10
Ohio	OH0007269	DOVER CHEMICAL	TUSCARAWAS	SUGAR CREEK	10
Ohio	OH0011355	WHEELING PITTSBURG STEEL	JEFFERSON	OHIO RIVER	10
Ohio	OH0020851	VILLAGE OF BLUFFTON	ALLEN	RILLEY CREEK	10
Ohio	OH0026026	CITY OF LANCASTER	FAIRFIELD	HOCKING RIVER	10
Ohio	OH0050016	SCIOTO COUNTY COMMISSIONERS	SCIOTO	PINE CREEK	10
Oklahoma	OK0021521	BROKEN BOW PUBLIC WORKS AUTH.	MCCURTAIN	410200 TRIB/YANUBBEE CK/LITTLE RIVR	10
Pennsylvania	PA0005011	RELIANT ENERGY NORTHEAST MGMT	INDIANA	CONEMAUGH RIVER	10
Pennsylvania	PA0005754	JEWEL ACQUISITION LLC	BEAVER	OHIO RIVER	10
Pennsylvania	PA0026034	JOHNSTOWN REDEVELOPMENT AUTH	CAMBRIA	CONEMAUGH RIVER	10
Pennsylvania	PA0026239	UNIVERSITY AREA JOINT AUTH -	CENTRE	SPRING CREEK	10
Pennsylvania	PA0027430	JEANNETTE CITY MUN AUTH	WESTMORELAND	BRUSH CREEK	10
Pennsylvania	PA0037966	MOSHANNON VALLEY JT SEW AUTH	CENTRE	MOSHANNON CREEK	10
Pennsylvania	PA0045021	MSC PRE FINISH METALS INC	BUCKS	BILES CREEK	10
Rhode Island	RI0100013	VEOLIA WATER-CRANSTON WPCF	PROVIDENCE	PAWTUXET RIVER	10
South Carolina	SC0041696	GSW&SA/GEORGE R VEREEN WWTP	HORRY	CAROLINA BAYS	10
Tennessee	TN0020079	MARYVILLE STP	BLOUNT	TENN RI MI 637.0	10
Tennessee	TN0062367	BROWNSVILLE STP	HAYWOOD	HATCHIE RIVER AT MILE 76.3	10
Texas	TX0006084	ROHM & HAAS TEXAS, INCORPORATE	HARRIS	SEG 1006 SAN JACINTO RIVER BASIN	10
Texas	TX0007536	CONOCOPHILLIPS COMPANY	BRAZORIA	LINNVILLE BAYOU/CANEY CREEK	10
Texas	TX0025569	GILMER, CITY OF	UPSHUR	SUGAR CREEK, LITTLE CYPRESS BAYOU	10
Texas	TX0062995	HOUSTON, CITY OF (SOUTHWEST)	HARRIS	BRAYS BAYOU, HOUSTON SHIP CHANNEL	10
Texas	TX0063410	PASADENA, CITY OF	HARRIS	SEG NO 1007 SAN JACINTO RIVER BASIN	10
Texas	TX0106071	LUBBOCK, CITY OF	LUBBOCK	LAKE RANSOM	10
Utah	UT0021920	LOGAN CITY CORPORATION	CACHE	IRRIGATION DITCH TO CUTLER RES.	10
Virginia	VA0090263	North Fork Modular Reclamation	ROCKINGHAM	N. FORK SHENANDOAH	10
West Virginia	WV0001279	E I DUPONT DE NEMOURS & CO	WOOD	OHIO RIVER	10
West Virginia	WV0023205	CHARLESTON CITY OF	KANAWHA	KANAWHA RIVER	10
West Virginia	WV0023299	NITRO CITY OF	KANAWHA	KANAWHA RIVER/Ohio River	10
West Virginia	WV0026271	WILLIAMSON CITY OF	MINGO	TUG FK	10
West Virginia	WV0032590	LUBECK PSD	WOOD	OHIO	10
West Virginia	WV0080403	SHADY SPRING PSD	RALEIGH	PINEY CREEK	10
Wisconsin	WI0001040	TYCO SAFETY PRODUCTS - ANSUL	MARINETTE	MENOMONEE R AND	10
Wyoming	WY0020648	Powell, City of	PARK	Bitter Creek (2)	10
Alabama	AL0031372	SCOTTSBORO WSG SOUTHSIDE WWTP	JACKSON	TENNESSEE RIVER	9
Alaska	AK0021440	KETCHIKAN, CITY OF	KETCHIKAN DIV	TONGASS NARROWS	9
Arizona	AZ0020249	GLOBE, CITY OF	GILA	PINAL CREEK	9
Arizona	AZ0020923	PIMA CNTY WASTEWATER MGMT	PIMA	SANTA CRUZ RIVER	9
Arizona	AZ0021873	CASA GRANDE, CITY OF	PINAL	SANTA CRUZ WASH	9

State	Facility Number	Facility Name	County Name	Receiving Water	# of Reporting Periods with Exceedance
Arkansas	AR0021482	VAN BUREN, CITY OF-MAIN PLANT	CRAWFORD	ARKANSAS RV	9
Arkansas	AR0022292	DECATUR, CITY OF	BENTON	COLUMBIA HOLLOW CK,SPAVINAW CK	9
Connecticut	CT0001457	WHYCO FINISHING TECHNOLOGIES,	LITCHFIELD	NAUGATUCK RIVER	9
Connecticut	CT0100510	SOUTH WINDSOR WPCF	HARTFORD	CONNECTICUT RIVER	9
Florida	FL0021270	FT MYERS-SOUTH STP	LEE	CALOOSAHATCHEE RIVER	9
Florida	FL0030325	FL CITIES WATER-WATERWAY EST	LEE	CALOOSAHATCHIE RV	9
Georgia	GA0025674	CANTON WPCP	CHEROKEE	ETOWAH RV/COOSA RV BASIN	9
Georgia	GA0046655	PEACHTREE CTY (ROCKAWAY WPCP)	FAYETTE	LINE CRK TRIB TO /FLINT RIVER	9
Idaho	ID0020028	GOODING, CITY OF	GOODING	LITTLE WOOD RIVER/BIG WOOD RIVER	9
Idaho	ID0022853	COEUR D'ALENE, CITY OF	KOOTENAI	SPOKANE RIVER	9
Illinois	IL0020575	PRINCETON STP	BUREAU	SKIN-EPPERSON-BIG BUREAU-IL RVR	9
Illinois	IL0021971	SPRINGFIELD MSD-SUGAR CRK STP	SANGAMON	SUGAR CREEK	9
Illinois	IL0022365	BENTON NORTHWEST STP	FRANKLIN	BIG MUDDY RIVER	9
Illinois	IL0035891	FOX RIVER WRD WEST STP	KANE	FOX RIVER	9
Indiana	IN0020397	SCOTTSBURG MUNICIPAL STP	SCOTT	MUSCATATUCK R VIA MCCLAIN D VIA TRB	9
Indiana	IN0020834	JASPER MUNICIPAL STP	DUBOIS	PATOKA RIVER	9
Indiana	IN0032972	SPEEDWAY MUNICIPAL STP	MARION	EAGLE CR TO W FK WHITE RIVER	9
Iowa	IA0024554	CARLISLE CITY OF STP	POLK	DES MOINES RIVER	9
Kentucky	KY0023370	CYNTHIANA STP	HARRISON	LICKING RIVER / SOUTH FORK	9
Louisiana	LA0003026	CONOCO INC-LAKE CHARLES REFINE	CALCASIEU	BAYOU VERDINE	9
Louisiana	LA0043982	WEST MONROE, CITY OF	OUACHITA	OUACHITA RIVER	9
Maine	ME0101346	MOUNT DESERT TOWN OF	HANCOCK	ATLANTIC OCEAN	9
Massachusetts	MA0100421	STURBRIDGE WPCF	WORCESTER	QUINEBAUG RIVER	9
Massachusetts	MA0102598	CHARLES RIVER P C D	NORFOLK	CHARLES RIVER	9
Mississippi	MS0020788	WEST POINT POTW - WEST	CLAY	TOWN CREEK TO DRAINAGE DITCH	9
Mississippi	MS0036111	TUPELO POTW	LEE	DIRECTLY INTO TOWN CREEK	9
Mississippi	MS0044164	COLUMBIA POTW - SOUTH	MARION	PEARL RIVER	9
Mississippi	MS0055581	ABERDEEN - POTW EAST WWTF	MONROE	TENN-TOMBIGBEE WATERWAY	9
Missouri	MO0043648	POPLAR BLUFF WWTP	BUTLER	PIKE CR	9
Missouri	MO0101087	LBVSD, ATHERTON PLANT	JACKSON	MISSOURI R.	9
New Hampshire	NH0001473	P.S. OF NH-SCHILLER STATION	ROCKINGHAM	PISCATAQUA ESTUARY	9
New Mexico	NM0020141	LOS ALAMOS CTY (BAYOU CANYON)	LOS ALAMOS	BAYOU CANYON	9
New Mexico	NM0029351	ESPANOLA, CITY OF	SANTA FE	RIO GRANDE	9
New York	NY0020419	WILSON (V) WWTP	NIAGARA	LAKE ONTARIO	9
New York	NY0021610	WALTER W BRADLEY WPCF	MONROE	LAKE ONTARIO	9
New York	NY0021750	PORT JEFFERSON SD#1 STP	SUFFOLK	PORT JEFFERSON HARBOR	9
New York	NY0022411	SILVER CREEK (V) WWTP	CHAUTAUQUA	SILVER CK	9
New York	NY0023531	FARMINGTON (T) STP	ONTARIO	MUD CK	9
New York	NY0024333	ST JOHNSVILLE (V) WWTP	MONTGOMERY	MOHAWK R	9
New York	NY0026328	MIDDLETOWN (C) STP	ORANGE	WALLKILL R	9
New York	NY0026689	YONKERS JOINT WWTP	WESTCHESTER	HUDSON R	9
New York	NY0027979	NIAGARA COUNTY SD#1 WWTP	NIAGARA	NIAGARA R E BR	9
New York	NY0029106	OSWEGO (C) WEST SIDE WWTF	OSWEGO	LAKE ONTARIO - OSWEGO HARBOR	9
New York	NY0036986	CHEMUNG CO SD#1 STP	CHEMUNG	CHEMUNG R	9
New York	NY0072061	CWM CHEMICAL SERVICES LLC	NIAGARA	NIAGARA R	9

State	Facility Number	Facility Name	County Name	Receiving Water	# of Reporting Periods with Exceedance
North Carolina	NC0003816	US MCAS Cherry Pt MCALF Atlant	CRAVEN	NEUSE RIVER	9
North Carolina	NC0026824	NC DHHS Butner WWTP	GRANVILLE	Knap of Reeds Creek	9
North Carolina	NC0031879	Marion Corpening Creek WWTP	MCDOWELL	Youngs Fork (Coperning Creek)	9
Ohio	OH0006769	OCCIDENTAL CHEMICAL	HARDIN	INTERNAL OUTFALL	9
Ohio	OH0010413	HAMILTON MUNICIPAL ELECTRIC PL	BUTLER	GREAT MIAMI RIVER	9
Ohio	OH0011339	WHEELING-PITTSBURGH STEEL	BELMONT	OHIO RIVER	9
Ohio	OH0021776	VILLAGE OF COLUMBIANA	COLUMBIANA	MAHONING RIVER	9
Ohio	OH0024929	CITY OF DELPHOS	ALLEN	JENNINGS CREEK	9
Ohio	OH0026018	CITY OF LAKEWOOD	CUYAHOGA	LAKE ERIE	9
Ohio	OH0027430	SOLON CITY CENTRAL	CUYAHOGA	BEAVER MEADOW RUN	9
Ohio	OH0027952	CITY OF WAPAKONETA	AUGLAIZE	AUGLAIZE RIVER	9
Ohio	OH0028223	CITY OF YOUNGSTOWN	MAHONING	MAHONING RIVER	9
Ohio	OH0052744	CITY OF FOSTORIA	SENECA	PORTAGE RIVER	9
Ohio	OH0120588	OHIO COATINGS CO	BELMONT	OHIO RIVER	9
Pennsylvania	PA0009024	OSRAM SYLVANIA PRODUCTS INC	BRADFORD	NORTH BRANCH SUSQUEHANNA RIVER	9
Pennsylvania	PA0013064	ELEMENTIS PIGMENTS INC	NORTHAMPTON	BUSHKILL CREEK	9
Pennsylvania	PA0021768	SOMERSET BORO	SOMERSET	EAST BRANCH OF COXES CREEK	9
Pennsylvania	PA0026298	WHITEMARSH TWP AUTH	MONTGOMERY	SCHUYLKILL RIVER	9
Pennsylvania	PA0026379	BRADFORD SAN AUTH	MCKEAN	TUNUNGWANT CREEK	9
Pennsylvania	PA0028487	HERMITAGE MUN AUTH - BOBBY RUN	MERCER	SHENANGO RIVER	9
Pennsylvania	PA0209228	LYCOMING WATER & SEWER AUTH	LYCOMING	WEST BRANCH OF SUSQUEHANNA RVR	9
Rhode Island	RI0000132	CLARIANT CORPORATION	KENT	PAWTUXET RIVER (SOUTH BRANCH)	9
South Carolina	SC0021598	MONCK'S CORNER WWTF	BERKELEY	COOPER RIVER	9
South Carolina	SC0023264	KAWASHIMA TEXTILE USA INC	KERSHAW	WATEREE RIVER	9
South Carolina	SC0025356	TIMMONSVILLE, TOWN OF	FLORENCE	SPARROW SWAMP TO LYNCHES	9
South Dakota	SD0023396	YANKTON - CITY OF	YANKTON	MISSOURI RIVER	9
Tennessee	TN0020613	MCKENZIE STP	CARROLL	CLEAR CREEK	9
Tennessee	TN0022551	LAWRENCEBURG STP	LAWRENCE	SHOAL CR	9
Tennessee	TN0022888	LEWISBURG STP	MARSHALL	BIG ROCK CREEK AT MILE 16.8	9
Tennessee	TN0024121	CLEVELAND UTILITIES STP	BRADLEY	HIWASSE RIVER	9
Tennessee	TN0024830	WAVERLY LAGOON	HUMPHREYS	TENNESSEE RIVER-RIVER MILE 94	9
Texas	TX0023647	LAGUNA MADRE WATER DISTRICT	CAMERON	TIDAL MUD FLAT, VADIA ANCHA, BROWNS	9
Texas	TX0025470	BRENHAM, CITY OF	WASHINGTON	SEG NO 1202 BRAZOS RIVER BASIN	9
Texas	TX0026018	NEW BOSTON, CITY OF	BOWIE	UNNAMED TRIB OF BIG CREEK	9
Texas	TX0035106	HOUSTON, CITY OF (CLINTON PARK)	HARRIS	UNNAMED-HOUS SH CHNL BUFFALO	9
Texas	TX0052779	HENDERSON, CITY OF	RUSK	HARDY CREEK/SHAWNEE CREEK	9
Texas	TX0101281	GEORGETOWN, CITY OF	WILLIAMSON	SEG NO 1248 BRAZOS RIVER BASIN	9
Utah	UT0020419	MOAB- CITY OF	GRAND		9

Appendix B. All State Facilities Exceeding their Clean Water Act Permits at Least Once between July 1, 2003 and December 31, 2004

Refer to U.S. PIRG Education Fund's website, www.uspirg.org/reports, where you can download the facility data for each state.

End Notes

- ¹ JM Kovalic, *The Clean Water Act of 1987, 2nd edition*, (Alexandria, VA: Water Environment Federation, 1987).
- ² United States Environmental Protection Agency (EPA) Inspector General, *Water Enforcement: State Enforcement of Clean Water Act Dischargers Can Be More Effective*, August 2001.
- ³ U.S. EPA, Office of Water, *National Water Quality Inventory: 2000 Report to Congress*, EPA-841-R-02-001, August 2002, available at <http://www.epa.gov/305b/2000report/>.
- ⁴ Government Accountability Office (GAO), *Water Quality: Inconsistent State Approaches Complicate Nation's Efforts to Identify Its Most Polluted Waters*, GAO-02-186, January 2002.
- ⁵ U.S. Geological Survey, *The Quality of Our Nation's Waters--Pesticides in the Nation's Streams and Ground Water, 1992-2001*, U.S.G.S. Circular 1291, March 2006.
- ⁶ Natural Resources Defense Council. *Testing the Waters 2005: A Guide to Water Quality at Vacation Beaches*, August 2005, available at <http://www.nrdc.org/water/oceans/ttw/titinx.asp>.
- ⁷ U.S. EPA, *2004 National Listing of Fish and Wildlife Advisories*, available at <http://www.epa.gov/waterscience/fish/advisories/fs2004.pdf>.
- ⁸ U.S. EPA, 2003 Toxics Release Inventory, available at <http://www.epa.gov/tri>.
- ⁹ U.S. EPA, *Report to Congress: Impacts and Controls of CSOs and SSOs*, EPA 833-R-04-001, August 2004.
- ¹⁰ U.S. EPA. *The Clean Water and Drinking Water Infrastructure Gap Analysis*. EPA-816-R-02-020. September 2002.
- ¹¹ U.S. EPA, NPDES Permit Program Basics, "Water Permitting 101," fact sheet, accessed March 13, 2006 at <http://www.epa.gov/npdes/pubs/101page.pdf>.
- ¹² U.S. EPA, *U.S. EPA NPDES Permit Writers' Manual*, EPA-833-B-96-003, December 1996.
- ¹³ U.S. EPA, *U.S. EPA NPDES Permit Writers' Manual*, EPA-833-B-96-003, December 1996.
- ¹⁴ U.S. EPA, National Pollution Discharge Elimination System, State Program Status, accessed at <http://cfpub.epa.gov/npdes/statestats.cfm> on March 3, 2006.
- ¹⁵ Code of Federal Regulations, TITLE 33 > CHAPTER 26 > SUBCHAPTER I > Section 401(d).
- ¹⁶ U.S. EPA Office of Inspector General, *EPA Should Take Further Steps to Address Funding Shortfalls and Time Slippages in Permit Compliance System Modernization Effort*, 2003-M-00014, May 20, 2003.
- ¹⁷ U.S. EPA Office of Inspector General, *EPA Should Take Further Steps to Address Funding Shortfalls and Time Slippages in Permit Compliance System Modernization Effort*, 2003-M-00014, May 20, 2003.
- ¹⁸ Government Accountability Office (GAO), *Clean Water Act: Improved Resource Planning Would Help EPA Better Respond to Changing Needs and Fiscal Constraints*, GAO-05-721, July 2005.
- ¹⁹ U.S. EPA Inspector General, *Water Enforcement: State Enforcement of Clean Water Act Dischargers Can Be More Effective*, August 2001.
- ²⁰ Judy Meyer et al, *Where Rivers Are Born: The Scientific Imperative for Defending Small Streams and Wetlands*, September 2003.
- ²¹ Judy Meyer et al, *Where Rivers Are Born: The Scientific Imperative for Defending Small Streams and Wetlands*, September 2003.
- ²² John Heilprin, "Administration Outlines New Approach for Regulating Wetlands, Other Water Bodies," *Associated Press*, January 11, 2003.
- ²³ 68 FR 1991-1998, U.S. Army Corps of Engineers and Environmental Protection Agency, "Advance Notice of Proposed Rulemaking on the Clean Water Act Regulatory Definition of 'Waters of the United States,'" January 15, 2003.
- ²⁴ See for example, U.S. Army Corps of Engineers, *Galveston District Non Jurisdictional Determinations Report Per SWANCC*, available at http://www.swg.usace.army.mil/reg/Reports/NJD%20quarterly/non_jd_reports.asp.
- ²⁵ Letter to EPA Administrator Mike Leavitt from Rep. Frank Pallone (NJ) and Clay Shaw (FL), dated December 4, 2003.
- ²⁶ Katonak and Rose, Michigan State University, *Public Health Risks Associated with Wastewater Blending*, November 17, 2003.
- ²⁷ Katonak and Rose, Michigan State University, *Public Health Risks Associated with Wastewater Blending*, November 17, 2003.
- ²⁸ U.S. EPA, "Proposed Rule to Protect Communities from Overflowing Sewers," Fact Sheet, January 2001, available at <http://www.epa.gov/npdes/regulations/facsheet.pdf>.
- ²⁹ U.S. EPA, "Proposed Rule to Protect Communities from Overflowing Sewers," Fact Sheet, January 2001, available at <http://www.epa.gov/npdes/regulations/facsheet.pdf>.
- ³⁰ Seth Borenstein, "Fewer polluters punished under Bush administration, records show," *Knight Ridder Newspapers*, December 9, 2003.

-
- ³¹ Seth Borenstein, "Fewer polluters punished under Bush administration, records show," *Knight Ridder Newspapers*, December 9, 2003.
- ³² U.S. EPA, *The Clean Water and Drinking Water Infrastructure Gap Analysis*, EPA-816-R-02-020, September 2002.
- ³³ 71 FR 894-901, Environmental Protection Agency, "Amendments to the National Pollutant Discharge Elimination System (NPDES) Regulations for Storm Water Discharges Associated With Oil and Gas Exploration, Production, Processing, or Treatment Operations, or Transmission Facilities," January 6, 2006.
- ³⁴ 70 FR 5093-5100, Environmental Protection Agency, "Application of Pesticides to Waters of the United States in Compliance With FIFRA," February 1, 2005.
- ³⁵ 69 FR 1035-1048, Department of the Interior, "Surface Coal Mining and Reclamation Operations; Excess Spoil; Stream Buffer Zones; Diversions; Proposed Rule," January 7, 2004.
- ³⁶ 67 FR 31129-31143, U.S. EPA and Army Corps of Engineers, "Final Revisions to the Clean Water Act Regulatory Definitions of 'Fill Material' and 'Discharge of Fill Material'," May 9, 2002.
- ³⁷ 67 FR 2019-2095, Army Corps of Engineers, "Issuance of Nationwide Permits; Notice," January 15, 2002.
- ³⁸ U.S. EPA, *National Water Quality Inventory: 1998 Report to Congress*, June 2000.
- ³⁹ 70 FR 57822, U.S. EPA, "TRI Burden Reduction Proposed Rule," October 4, 2005.
- ⁴⁰ The 2003 reported data has been adjusted for production. Toxics Use Reduction Institute, "Results to Date", accessed March 9, 2006 at <http://www.turadata.turi.org/Success/ResultsToDate.html>.