

Missing the Mark
in the Chesapeake Bay:

**A Report Card
for the Phase I
Watershed
Implementation
Plan**

Gradesheet for
the District of
Columbia



District of Columbia

Transparency of Information		Strength of Program Design	
National Pollution Elimination Discharge System (NPDES) Permitting			
Does the WIP disclose the number of facilities within the Bay watershed that are required to have NPDES permits and the number of facilities that have up-to-date NPDES permits in the following sectors: (1) Municipal wastewater facilities (2) Industrial wastewater facilities; (3) Concentrated animal feeding operations; (4) Municipal stormwater within MS4 areas; (5) Industrial stormwater; and (6) Construction outside MS4 areas?	Points	For each sector, is the state's NPDES permitting program effective at issuing up-to-date permits for all facilities that require them?	Points
	1	1 point, if 80% of NPDES permits are up-to-date	
	1		
	–		
	1		
	1	4 (1 point/sector x 6 sectors)	1
	–		
Does the WIP contain a schedule with deadlines or other specific qualitative commitments (e.g. x number of permits/month) to reissue and update expired or expiring permits to be consistent with the Bay-wide TMDL and the applicable tributary segment TMDL?	1	When will the state have all permits updated and rewritten to include the Bay-wide TMDL and individual tributary segment TMDLs? 4 points, by 2016 3 points, by 2018 2 points, by 2020 1 point, by 2022	4
Does the WIP disclose the estimated funding and personnel gap between existing and needed resources to ensure the NPDES permitting program is consistent with the Bay-wide TMDL and individual tributary segment TMDLs?	0		
Does the WIP explain how the state will fill the funding gap and provide a timeline for acquiring the additional funding?	0		
7 points total	5	8 points total	5

Transparency of Information		Strength of Program Design	
Enforcement of NPDES Permits			
	Points		Points
Does the WIP disclose basic enforcement data, including:		Does this enforcement information describe an effective, deterrence-based enforcement program for compliance with National Pollution Discharge Elimination System permits?	
(1) The number of physical, on-site inspections conducted by the state authority in the relevant watersheds during the last year for		1 point per sector, if the percentage of inspections is greater than or equal to EPA's guidance	
a. Municipal wastewater facilities;	0	a. Municipal wastewater facilities—50% annually;	0
b. Industrial wastewater facilities;	0	b. Industrial wastewater facilities—50% annually;	0
c. Concentrated animal feeding operations;	–	c. Concentrated animal feeding operations—20% annually;	–
d. Municipal stormwater within MS4 areas;	1	d. Municipal stormwater within MS4 areas—20% annually;	–
e. Industrial stormwater; and	0	e. Industrial stormwater—10% annually; and	1
f. Construction outside MS4 areas?	–	f. Construction outside MS4 areas—10% annually.	0
(2) The total number of violations, the number of civil and administrative penalty actions, and the amount of civil and administrative penalties collected in the relevant watersheds during the last year (3)?	0	1 point, based on the level of enforcement resources: Inspector-to-permits ratio of 1:400 or less	0
(3) If local authorities have received delegated authority to conduct local enforcement actions, a narrative description of their enforcement activities (including inspections) for the relevant tributary segments and in the Bay watershed?	1	1 point, if less than 15% of major facilities are in significant non-compliance	0
(4) Enforcement resources for the relevant tributary segments and in the Bay watershed, including personnel and funding?	0		
(5) Data on major facilities in the relevant tributary segments and in the Bay watershed that are in significant non-compliance?	0		
Does the WIP disclose the estimated funding and personnel gap between existing and needed resources to ensure an effective enforcement program that will lead to compliance with the Bay-wide TMDL and individual tributary segment TMDLs?	0		
Does the WIP explain how the state will fill the funding gap and provide a timeline for acquiring the additional funding?	0		
12 points total	2	6 points total	1

Transparency of Information		Strength of Program Design	
Monitoring and Verification for Nonpoint Sources (NPS)			
Does not apply	Points		Points
Contingencies			
Does not apply			
Concentrated Animal Feeding Operations (CAFOs)			
Does not apply			
Stormwater			
Does the WIP include copies of stormwater permittees' most recent self-reported disclosures?	0	Do the local authorities' enforcement efforts amount to an effective deterrence-based enforcement program? 1 point for regular inspection frequency 1 point for assessment of penalties 1 point for enforcement authority, meaning the local authority has enforcement authority roughly equivalent to the state authority 1 point for permit coverage rate of greater than 80% of all sites that are required to have permits 4 points total	
Does the WIP disclose, with specificity, how the state or a delegated local authority verifies that such dischargers are meeting permit requirement?	1		1
Does the WIP disclose the estimated funding and personnel gap between existing and needed resources to ensure an effective stormwater NPDES permitting program that is consistent with the Bay-wide TMDL and individual tributary segment TMDLs?	1		0
Does the WIP explain how the state will fill the funding gap and provide a timeline for acquiring the additional funding?	1		1
4 points total	3		1
Air Deposition			
Does not apply			
Discretionary Points (4 Max)			
	0		0
Total Points			
	10		9

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455 Massachusetts Avenue, NW
150-513
Washington, DC 20001

202-747-0698 (phone/fax)



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Center for Progressive Reform
455 Massachusetts Avenue, NW
150-513
Washington, DC 20001