



## OFFICE OF ENFORCEMENT AND COMPLIANCE ASSURANCE

WASHINGTON, D.C. 20460

January 10, 2025

### **MEMORANDUM**

**SUBJECT:** Data Sharing Guidance for NPDES Deficiencies and Single Event Violations

**FROM:** Jacqueline Robles Werner, Director  
Office of Compliance

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Rosemarie A. Kelley, Director  
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**TO:** EPA Regional Enforcement and Compliance Assurance Division Directors  
EPA Regional and State Water Data Stewards

This memorandum notifies you of a new data entry guide for National Pollutant Discharge Elimination System (NPDES) deficiency, single event violation (SEV), and related linkage data. EPA and approved States should start using this data entry guide now.<sup>1</sup> Once an SEV or deficiency is appropriately determined,<sup>2</sup> use of the guide will help ensure that these data are timely, accurate, complete, and nationally consistent in EPA's national NPDES data system (ICIS-NPDES). These NPDES deficiency, SEV, and related linkage data are important for inspection targeting, transparency, and oversight of NPDES programs. Proper entry and sharing of these data will help EPA, states, and the public gain better insights into NPDES noncompliance across the Nation.

### **BACKGROUND**

The U.S. EPA published the NPDES Electronic Reporting Rule ("NPDES eRule") on October 22, 2015. This rule requires EPA and approved States to modernize Clean Water Act (CWA) reporting. Implementation of this rule is designed to save EPA and approved States considerable resources, make reporting easier for NPDES-regulated entities, streamline permit renewals, ensure full exchange of NPDES program data between states, Tribes, and territories and the EPA, enhance public transparency, improve environmental decision-making, and protect human health and the environment.

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<sup>1</sup> This data entry guide uses the term "approved States" for states, Tribes, and territories with NPDES program authorization. See <https://www.epa.gov/npdes/npdes-state-program-authority>.

<sup>2</sup> NPDES deficiencies are preliminary compliance findings made by an inspector, potentially affirmed by a manager, indicating that the NPDES-regulated entity has not complied with a particular provision of the Clean Water Act. NPDES deficiencies are not *per se* violations. Single Event Violations (SEVs) are noncompliance determinations made by EPA or approved States or violations self-reported by NPDES-regulated entities.

The NPDES eRule also requires EPA and approved States to electronically share specific data with EPA’s “national NPDES data system”.<sup>3,4</sup> See [40 CFR 127.23](#) and [40 CFR 127.26\(d\)](#). The NPDES eRule labels these specific data as the “minimum set of NPDES data” [see [40 CFR 127.2\(e\)](#)] and these data are listed in [Appendix A](#), 40 CFR part 127. These data include facility and permit information, compliance monitoring activities (e.g., inspections), deficiency and violation determinations, and enforcement actions. These electronic data transfers must be “timely, accurate, complete, and consistent.” See [40 CFR 127.23](#).

This document provides guidance on how EPA and approved States should identify, record, and share deficiency, SEV, and related linkage data, which are included in the minimum set of NPDES data. This guidance explains how EPA and approved States should select the best matching deficiency and SEV codes, how to record SEV Start Dates and End Dates, and when to share Reportable Noncompliance (RNC) data, which are used for the Significant Noncompliance (SNC) program management tool.

The document also includes recommended data sharing practices gathered from EPA Regions and approved States. For example, EPA Regions and approved States with the best data sharing practices regularly review their deficiency and SEV data in ICIS-NPDES to ensure that their electronic data transfers are working correctly. These regular reviews also spotlight SEVs with no end date, which means the violation is on-going. EPA Regions and approved States with the best data sharing practices closely track these on-going SEVs and then record the Single Event Violation End Date in ICIS-NPDES as soon as possible. EPA created the [NPDES Single Event Violations](#) dashboard (ECHO Gov) to help authorized NPDES programs review their SEV data and linkages to inspections and enforcement actions in ICIS-NPDES.

EPA intends to provide training on how to properly share these data and how to use the above dashboard. Attending this training is important as EPA intends to inactivate deprecated SEV codes in ICIS-NPDES by December 2026. EPA and approved States should contact the ICIS Team ([icis@epa.gov](mailto:icis@epa.gov)) if they need help with this transition. EPA’s Office of Enforcement and Compliance Assurance will also continue its close collaboration with EPA Regions and approved States and intends to update this data entry guide as needed (e.g., updating NPDES deficiency and SEV codes to reflect current requirements). EPA Regions and states should contact the Office of Compliance ([NPDESeReporting@epa.gov](mailto:NPDESeReporting@epa.gov)) to provide suggested edits to this data entry guide.

Thank you for your help in implementing NPDES electronic reporting. If you have questions about the data entry guide or with any aspect of NPDES eRule implementation, please contact the NPDES eRule Team Lead, Carey Johnston, [johnston.carey@epa.gov](mailto:johnston.carey@epa.gov).

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<sup>3</sup> EPA’s [ICIS-NPDES](#) is the current national NPDES data system for the data described in this guide; however, this guide will be updated to accommodate any future changes.

<sup>4</sup> The NPDES eRule data sharing requirements also apply to EPA in scenarios where EPA does not administer the NPDES program (e.g., NPDES deficiencies and SEVs that stem from an EPA inspection of a NPDES-regulated entity that is permitted by an approved State). See, e.g., Compliance Monitoring Information (General), Compliance Monitoring Activity Information (General Data Generated from Authorized NPDES Programs and EPA), and Compliance Monitoring Activity Information (AFO/CAFO Program Data Generated from Authorized NPDES Programs and EPA) in Table 2 – Required NPDES Program Data at 40 CFR part 127, Appendix A.