

DWQ Guidance Regarding the Reduction of Monitoring Frequencies in NPDES Permits for Exceptionally Performing Facilities

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A. Purpose

In its efforts to reduce the regulatory burden upon permittees while maintaining adequate compliance oversight over point source discharges, DWQ has developed the following guidance for the reduction of monitoring frequencies in NPDES permits for specific target parameters. Standard minimum NPDES monitoring frequencies are established in 15A NCAC 2B .0508 for discharges from facilities with specific Standard Industrial Classification (SIC) categories. However, 2B .0508(b)(1) states: "If it is demonstrated to the satisfaction of the Director that any of the tests and measurements, sampling points, or frequency of sampling requirements, as required in this Rule for a particular SIC group, are not applicable to the discharge of a particular water pollution control facility, or if it can be demonstrated that the objectives of this Section can be achieved by other acceptable means then such requirements may be waived or modified to the extent that the Director determines to be appropriate." This document identifies criteria to be used by DWQ that satisfies the regulatory standard for the allowance of reduced monitoring frequencies for facilities included in SIC 4952.

This guidance applies to facilities with outstanding NPDES program compliance histories, exhibiting effluent discharges that are excellent in both quality and consistency. Such performance will demonstrate that compliance for particular parameters can be adequately evaluated with less monitoring. Facilities demonstrating consistent, long-term treatment performance at levels far below effluent limitations (<50%) may be considered for a reduction in monitoring from existing permit frequencies to a 2/week minimum frequency for the parameters BOD₅, CBOD₅, TSS, NH₃-N and fecal coliform/enterococci (the "target parameters").

B. Approval Criteria

Individual NPDES facilities shall submit a written request to modify their NPDES permit specifying which parameters are to be considered for reduced monitoring. Permit holders must include with their requests sufficient data, statistical analyses, and other information to support the justification for reduced monitoring. NPDES permit staff shall review the application and supporting information. Approval of reduced monitoring frequency shall be granted if all the criteria below are met:

- The facility has no more than one civil penalty assessment for permit limit violations for each target parameter during the previous three years.
- Neither the permittee nor any of its employees have been convicted of criminal violations of the Clean Water Act within the previous five years.
- The facility is not currently under an SOC for target parameter effluent limit noncompliance.
- The facility is not on EPA's Quarterly Noncompliance Report for target parameter limit violations.
- For BOD₅, CBOD₅, TSS, NH₃-N and TSS, the three year arithmetic mean of effluent data must be less than fifty percent of the monthly average permit limit. For fecal coliform or enterococci, the

three year geometric mean must be less than 50 percent of the monthly average permit limit. For parameters with summer and winter limits, an annual arithmetic mean of the seasonal limits may be used in the calculation.

- With the exception of fecal coliform or enterococci, no more than 15 daily sampling results over the 3-year review period can be over 200% of the monthly average limit for BOD₅, CBOD₅, TSS, or NH₃-N . Values associated with documented impacts of extreme weather or events beyond the control of the permittee will not be included.
- For fecal coliform or enterococci, no more than 20 daily sampling results may be over 200% of the weekly average limit. Values associated with documented impacts of extreme weather or events beyond the control of the permittee will not be included.
- For the four target parameters, sampling results shall not show more than two non-monthly average limit violations during the previous year.
- Reduced effluent monitoring must not impair assessment of sensitive downstream uses, such as endangered species.

C. Implementation

After DWQ review and approval, the facility's NPDES permit will be reissued with reduced monitoring frequencies for qualified parameters. Additional NPDES permit requirements will include:

- Eligible facilities may be granted a reduction from existing permit monitoring frequencies to a 2/week minimum frequency for the four target parameters. Reductions will be made for both effluent and influent sampling.
- Where monitoring is reduced to twice per week, it must occur on any two non-consecutive days during the calendar week (Sunday through Saturday).
- Required monitoring frequency reductions establish new permit minimums for monitoring. As always, facilities may monitor more often than required in the permit.
- If a reportable event, as defined by the permit [e.g., Part II (E) (6 & 9)] occurs, any facility granted reduced monitoring frequencies will be encouraged to monitor on a daily basis until the episode is resolved.

Monitoring frequency reduction from the minimum frequencies reductions established by the rules are based upon consistent, exceptional performance. DWQ may revoke on a case-by-case basis these reductions if the facility begins to perform in noncompliance with permit limits. If a facility's monitoring reduction for a specific parameter is removed through permit modification, reconsideration of monitoring frequency reduction will only occur three years following the revocation/permit modification action, or at the next permit renewal.