At a Glance

Catalyst for Improving the Environment

Efforts to Manage Backlog of Water Discharge Permits Need to Be Accompanied by Greater Program Integration

What We Found

EPA and the States have had varying success in eliminating the backlog of NPDES permits requiring renewal, and more still needs to be done. The NPDES permit program is only one of many EPA programs to improve surface water quality. EPA needs to integrate its efforts to eliminate the NPDES backlog with the other programs to improve and maintain water quality based on Clean Water Act requirements.

To eliminate the NPDES permits backlog, EPA needs to address challenges involving resource constraints, increasing workload, complex permitting issues, external sources of permitting delays, and oversight limitations. EPA is now managing the NPDES permit program through the "Permitting for Environmental Results" Strategy that increases focus on environmental outcomes.

Only a small portion of waters currently identified as being "impaired" are associated with backlogged permits. While the majority of backlogged permits renewed had changes to discharge limits, the majority of the controls in the prior permits generally did not appear to change. A large number of the new permits contained limits for new parameters. Prioritizing permitting resources according to potential environmental impact could result in greater environmental benefits. The significance of the backlog could grow as a result of increased efforts in other water protection programs that may necessitate NPDES permit revisions.

EPA's reporting on the NPDES backlog measure under the Government Performance and Results Act did not provide an accurate view of the program status or an adequate measure of environmental results. Prior to Fiscal Year 2005 revisions, the measures did not properly compare progress against baselines, and the measures focused on outputs (tasks performed) rather than outcomes (environmental results achieved). EPA had recognized these weaknesses and begun taking corrective actions.

What We Recommend

EPA needs to build on the steps already initiated to reduce the NPDES permit backlog. We made various recommendations to EPA to assist the Agency in such efforts. EPA needs to take various steps to integrate the NPDES permit program with other point source programs that support the permit program. This would include creating a system for assessing the effectiveness and efficiency of its efforts related to clean water. EPA also needs to continue making improvements related to its measures, such as providing appropriate baselines. EPA provided extensive comments in response to our draft report. The Agency emphasized that through the "Permitting for Environmental Results" Strategy it is taking steps to reduce the NPDES backlog and in general improve the quality of the Nation's water bodies. We encourage EPA to continue refining this strategy.