**NPDES Electronic Reporting Rule**

**Phase 2 Implementation Plan**

**For Agency Name**

**Date**

**Implementation Plan Purpose**

On October 22, 2015, EPA published the final National Pollutant Discharge Elimination System (NPDES) Electronic Reporting Rule. This regulation requires the electronic reporting and sharing of Clean Water Act NPDES program information instead of the current paper-based reporting of this information.

The NPDES Electronic Reporting Rule allows states to determine what electronic reporting tools and systems work best for them and whether they would like to be the initial recipient of NPDES compliance monitoring data. EPA does not dictate the electronic reporting tools that a state may use. Rather, EPA sets performance requirements for states that wish to build their own electronic reporting tools. States also have the option of using and, if desired, customizing electronic reporting tools developed and maintained by EPA. A state, tribe, or territory that is designated by EPA as the initial recipient for an NPDES data group must submit an implementation plan to EPA for review to ensure that the authorized NPDES program will meet the Phase 2 electronic reporting deadline. This plan must provide enough details (e.g., tasks, milestones, roles and responsibilities, necessary resources) to clearly describe how the program will successfully implement electronic reporting of Phase 2 data. This plan does not include electronic reporting of Discharge Monitoring Reports (DMRs).

In accordance with the final rule [40 CFR 127.26(h)], authorized NPDES programs must submit an Implementation Plan (IP) to EPA by December 21, 2016, for EPA’s review. EPA will inform the authorized NPDES program if the implementation plan has enough detail to ensure successful implementation of electronic reporting for Phase 2 data. Completed IPs can be emailed to EPA at: NPDESeReporting@epa.gov.

1. **Overview/Executive Summary**

*In this section, give a brief overview of the agency’s current data systems and e-reporting capabilities. (Details will be provided elsewhere in this template.) Summarize the key tasks for updating or building the agency’s data systems and include estimated timelines. (i.e., Indicate what data you will act as initial recipient, brief description of current or planned eReporting tools, title of executive sponsors and main personnel involved with implementation, current or planned databases and data transfer to EPA capabilities.) This section should provide the primary contact for this IP and the approximate date when the agency expects to successfully implement electronic reporting for Phase 2 data.*

1. **Agency NPDES Universe**

*This section is a “snapshot” in time and should include a date of when these numbers were calculated. Provide the names of your NPDES individual and master general permits (MGP) and counts of general permit authorizations for each MGP currently under the jurisdiction of your agency. Please also indicate the number of permits that are currently not in EPA’s ICIS-NPDES database. Please mention anticipated large changes in these numbers (new or terminating MGPs). If you wish, electronic reporting counts or percentages may also be included in this section. The following list is for example purposes only and you should group your permits as you wish.*

1. *Number of Active and Administratively Continued Major Individual NPDES Permits:*
2. *Number of Active and Administratively Continued Minor Individual NPDES Permits:*
3. *Number of Active and Administratively Continued MS4 Permits:*
4. *List of Agency General NPDES Permits with number of authorizations for each:*
5. **Current and/or Planned NPDES Data Systems and E-reporting Tools**

*In this section, detail the current NPDES data systems and/or e-reporting tools that your agency currently employs, or your planned e-reporting systems/tools. States that elect to use EPA’s electronic reporting tools can cite that in this section.*

1. **Key Tasks for Updating Agency Data Systems and Data Transmission Systems for Phase 2 Data Groups**

*In this section, if you have a current system, describe key tasks for updating the agency NPDES data systems to manage and share the data in each of the Phase 2 Data Groups with EPA’s ICIS–NPDES (e.g., adding new data elements to state NPDES data systems, updating the state’s electronic data transmission capabilities, including incorporating new data schemas and Environmental Information Exchange Network node plug-ins). If you do not have a current system, describe your development and/or purchasing process and timelines. If multiple state agencies administer these programs, this can be a combined plan or each agency may submit a plan. Please indicate if you plan to use the EPA NeT system for any of these items. Timelines will then be as NeT becomes available. For either scenario, describe the roles and responsibilities for agency staff, contractors (if needed), and EPA (if needed). Include estimated completion timelines for each of the key tasks for each data group in this section. Clearly state if data system updates will cover more than one data group (data group subsections may be combined as needed). Indicate if your plan is to direct enter data into ICIS rather than electronically flow data. As an example, data groups have been listed below. Your agency may have different names for these groups. These are for example purposes only. The following table summarizes the major milestones for each NPDES Data Group.*

|  |  |  |
| --- | --- | --- |
| *NPDES Data Group* | *Milestones* | *Target Date* |
|  |  |  |

1. General Permit Reports - *Including NOIs, NOTs, NOEs, and LEWs; see 40 CFR 122.26(b)(15), 122.28, and 124.5*

Agency/Contractor/EPA Roles and Responsibilities:

Task Completion Timeline:

1. Concentrated Animal Feeding Operation (CAFO) Annual Program Reports - *See 40 CFR 122.42(e)(4)*

Agency/Contractor/EPA Roles and Responsibilities:

Task Completion Timeline:

1. Municipal Separate Storm Sewer System (MS4) Program Reports - *See 40 CFR 122.34(g)(3) and 122.42(c)*

Agency/Contractor/EPA Roles and Responsibilities:

Task Completion Timeline:

1. Pretreatment Program Reports - *See 40 CFR 403.12(i)*

Agency/Contractor/EPA Roles and Responsibilities:

Task Completion Timeline:

1. Significant Industrial User Compliance Reports in Municipalities Without Approved Pretreatment Programs - *See 40 CFR 403.12(e) and (h)*

Agency/Contractor/EPA Roles and Responsibilities:

Task Completion Timeline:

1. Sewer Overflow/Bypass Event Reports - *See 40 CFR 122.41(l)(4), (l)(6) and (7), and (m)(3)*

Agency/Contractor/EPA Roles and Responsibilities:

Task Completion Timeline:

1. CWA section 316(b) Annual Reports - *See 40 CFR 125, subpart J*

Agency/Contractor/EPA Roles and Responsibilities:

Task Completion Timeline:

1. Sewage Sludge/Biosolids Annual Program Reports - *Complete this subsection only if the agency is the authorized NPDES program for biosolids; see 40 CFR 503*

Agency/Contractor/EPA Roles and Responsibilities:

Task Completion Timeline:

1. **CROMERR Compliance Status for Agency Electronic Reporting Systems**

*In this section, describe Cross-Media Electronic Reporting Rule (CROMERR) compliance status for the agency’s e-reporting systems (e.g., anticipated application dates, approval dates or anticipated approval dates) for each Phase 2 NPDES data group. Clearly state if CROMERR approval dates will cover more than one data group (data group subsections may be combined as needed or there can be one date that applies to all categories). States that elect to use EPA’s electronic reporting tools can cite that in this section as these CROMERR approvals can be expedited.*

1. General Permit Reports

CROMERR Approval Date:

1. Concentrated Animal Feeding Operation (CAFO) Annual Program Reports

CROMERR Approval Date:

1. Municipal Separate Storm Sewer System (MS4) Program Reports

CROMERR Approval Date:

1. Pretreatment Program Reports

CROMERR Approval Date:

1. Significant Industrial User Compliance Reports in Municipalities Without Approved Pretreatment Programs

CROMERR Approval Date:

1. Sewer Overflow/Bypass Event Reports

CROMERR Approval Date:

1. CWA section 316(b) Annual Reports

CROMERR Approval Date:

1. Sewage Sludge/Biosolids Annual Program Reports

CROMERR Approval Date:

1. **State Statutes, State Regulation/Administrative Rule, and NPDES Permit Update Estimated Completion Dates**

*Provide scheduled estimated end dates for updating state statutes, regulations, and NPDES permits. Note if these have already been completed or are not necessary. Discuss the status of required regulatory issues.*

1. **Temporary and Permanent Waiver Approval Process (127.24c)**

*In this section, describe the agency’s temporary and/or permanent waiver approval processes and criteria for granting waivers. Please include any current practices as well as future processes. If a waiver is granted, it is the responsibility of the regulatory agency to insure all Appendix A data received in paper format is shared with EPA in electronic format.*

1. **Outreach and Training**

*In this section, summarize the outreach and training necessary to alert and educate NPDES regulated entities on how to utilize the agency’s planned electronic reporting systems. Please include past, present and future information.*

1. **Alternative Options**

*In this section, summarize alternative options for converting to electronic reporting (e.g., utilization of EPA services and systems like NetDMR, NeT, or buying a Commercial Off-The-Shelf (COTS) system.) (This is a “Plan B” in case there are issues with implementing your “Plan A”.)*

1. **Obstacles to Rule Implementation**

*In this section, describe any potential obstacles to e-reporting your agency anticipates, and discuss plans for overcoming these obstacles*

1. **Implementation Plan Reassessment**

*In this section, identify the circumstances when the agency will contact EPA regarding a possible reassessment of this Implementation Plan. This cooperative discussion between EPA and the agency is intended to help evaluate all options for ensuring that the agency will be able to continue working towards complying with the E-Reporting Rule.*