

Advancing Environmental Protection: NPDES Electronic Reporting Rule (Proposed 30 July 2013)



Meeting with WSWQC

3 April 2014



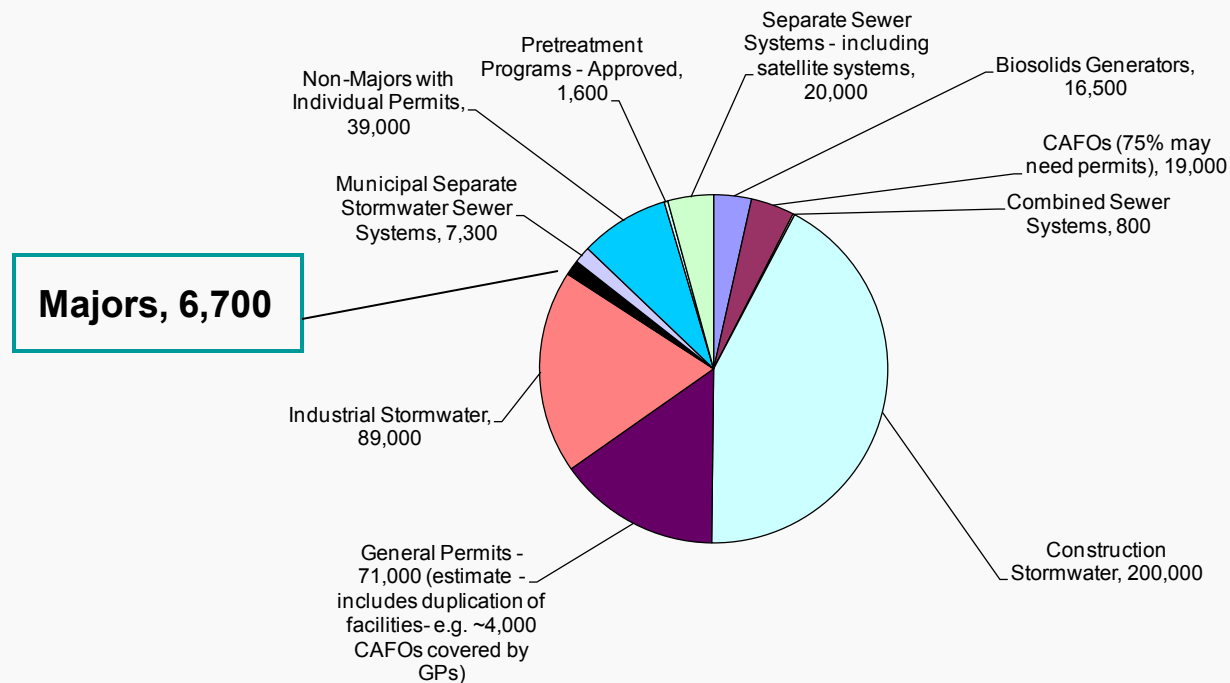
Goals of the Proposed Rule

This rule will help EPA and states clean up the nation's waters, by:

- Bringing the NPDES Program into the 21st Century by shifting from paper to electronic reporting. Proposed rule establishes no new reporting requirements
- Saving money and time for the regulated community and for states (reduce data entry time, improve accuracy)
- Improving transparency and freeing resources to focus on the most important problems
- Using technology to obtain more accurate, timely, and complete information about the NPDES program



NPDES-Regulated Facilities



Note: This graph covers all discharge sources except for significant industrial users not under an Approved Pretreatment Program and dischargers operating under general permits for discharges from vessels and discharges from pesticide applicators.



EPA Region 9 Annual Pretreatment Reports (2009)

10 April 2014



EPA Region 7 Annual Biosolids Reports (2014)

MIT Meeting



What Does the Rule Do?

- Replaces much of the currently-required paper-based NPDES reporting with electronic reporting. Does not add additional reporting requirements on permittees.
- Obtains required information directly from the source where data is generated.
- Reduces burden of existing paper-based reporting from regulated facilities and reduces data entry errors by instead requiring electronic data submissions.
- Provides significant cost savings for states, primarily due to streamlining the processing of DMR data.
- Proposes to eliminate several existing state reporting requirements to EPA.



Key Concepts

- Proposed regulation will require that NPDES permittees electronically submit most of the required NPDES data (e.g., DMRs, NOIs, program reports) directly to states or EPA.
 - This information will need to be submitted to EPA in a nationally-consistent manner (called “Appendix A”).
 - These data submissions would meet EPA’s current signatory and chain of custody requirements in Parts 3 (CROMERR) and 122 (NPDES Regs)
 - This would include registration, subscriber agreements, electronic signatures, associated training, etc.
- Permittee electronic submissions will be supplemented by authorized state electronic submission:
 - Basic facility and permit data; and
 - Data originating from the states (e.g., inspections, violation determinations, enforcement actions).



More Efficient Existing Data Submissions

	Existing NPDES Program Reporting	40 CFR
Data from NPDES Permittees	Discharge Monitoring Reports (DMRs)	Part 122.41(l)(4)(i)
	General Permit Reports (NOI, NOT, NECs, LEWs)	Part 122
	Biosolids Annual Program Reports	Part 503
	CAFO Annual Program Reports	Part 122.42(e)(4)
	MS4 Program Reports	Part 122.34(g)(3), 122.42(c)
	Pretreatment Program Annual Reports	Part 403.12(i)
	Industrial User Compliance Reports in Municipalities Without Approved Pretreatment Programs – When EPA or State is Control Authority	Part 403.12(e) & (h)
	Sewer Overflow Event Reports (CSOs, SSOs, Bypass events)	Part 122.41(l)(6), (7), & (m)
Data from States	Require electronic reporting by NPDES-authorized states, territories, tribes, and Regions of <u>program implementation information</u> (permits, inspections, violations, and enforcement actions)	Part 123.41 & 123.43
	Eliminate requirements for the annual state biosolids annual report, semi-annual statistical summary report, phase out state burden for ANCR and QNCR submissions, and rename and modify terms defining Category I and Category II noncompliance to reflect the new data sources	Part 123.45



Two-Phase Implementation Approach

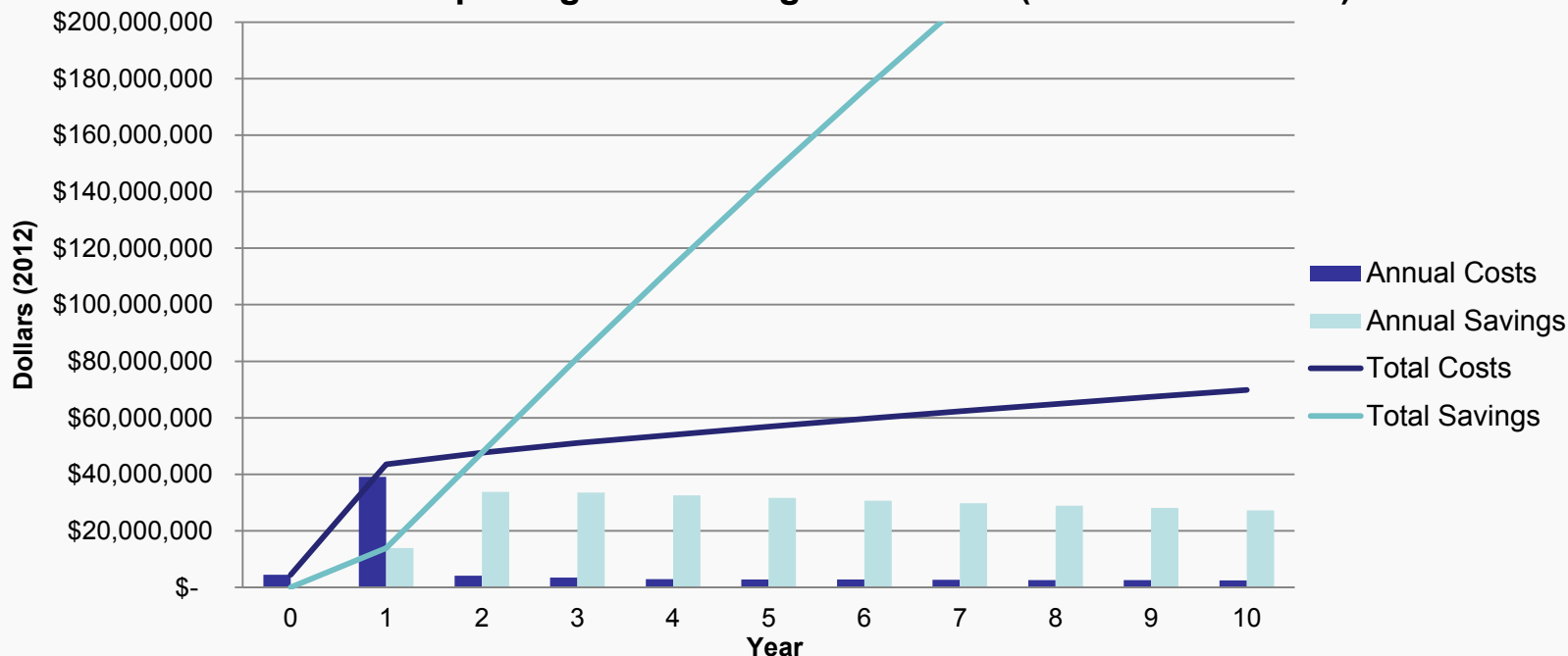
- **Phase 1 Data (One Year After Final Rule):** EPA and states would electronically receive:
 - Basic facility and permit information as well as inspections, violation determinations, and enforcement actions data from states;
 - DMR information from facilities; and
 - Information from general permit covered facilities [e.g., notices of intent to discharge (NOIs), notices of termination (NOT), no exposure certifications (NECs), and low erosivity waivers (LEWs)] for Federally-issued general permits.
- **Phase 2 Data (Two Years After Final Rule):** In addition to Phase 1 data, EPA and states would receive:
 - Information from general permit covered facilities for other state-issued general permits (see above); and
 - Program reports from all facilities.



Benefits of Electronic Reporting

Electronic reporting will generate over \$30 M annually in net savings four years after full implementation of the rule (when all states and permittees are directly providing NPDES information electronically) – most savings to states.

Electronic Reporting Rule Savings and Costs (3% Discount Rate)





Electronic Reporting Tools

- **EPA and authorized states are now developing electronic reporting tools to capture these data.**
 - 48 of the 50 states have or will soon have an electronic reporting tool for the largest data flow (DMRs).
- **EPA's tools are proven and flexible.**



NetDMR
(for DMRs)



NPDES eReporting Tool (NeT)
(for NOIs and program reports)