


IMPLEMENTATION TECHNICAL PAPER NO. 3

TO: EPA Regional and Authorized State NPDES Permit and Enforcement Coordinators and State Information Technology Staff

FROM: John Dombrowski, P.E., Deputy Director
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US EPA/OECA 

DATE: 2 June 2017

SUBJECT: Implementation Technical Paper No. 3: Data Elements for Tracking Electronic Reporting Progress and Other Phase 1 Data Elements

The NPDES Electronic Reporting Rule (“final rule”) requires the electronic reporting and sharing of NPDES facility and operational information. As part of EPA’s collaboration with the states to move forward with converting the NPDES program from paper to electronic reporting, EPA is developing a series of implementation technical papers to help EPA regions and state NPDES programs make a smooth transition. This is the third of these implementation technical papers and this paper addresses data entry guidance related to Phase 1 data elements that track progress with implementing electronic reporting and electronic reporting waivers.

The first version of this draft paper was reviewed by the ICIS-NPDES Electronic Data Transfer Integrated Project Team (IPT), which is organized by the Environmental Information Exchange Network. EPA distributed the second version of this paper to EPA Regional and state NPDES permitting and enforcement coordinators as well as state information technology staff (the IPT and ICIS-NPDES users). EPA thanks the commenters for their time and efforts to review this paper and provide feedback. This version incorporates these comments. EPA will publish this paper on its website to assist authorized NPDES programs with implementation of the final rule.¹ EPA also plans to provide updates on the progress states are making in sharing these data through regularly scheduled meetings (e.g., ICIS-NPDES IPT monthly meetings, ICIS-NPDES user monthly meetings), the ECHO “NPDES eRule Readiness and Data Completeness Dashboard,” as well as through e-mail news alerts.²

¹ See: <https://www.epa.gov/compliance/npdes-ereporting>

² See: <https://www.epa.gov/compliance/npdes-ereporting-help>

Among other things, the final rule lists the information (“data elements”) to be provided, groups this information by types of reports and identifies the regulatory citations requiring the information. EPA has taken a number of steps to assist the states and regulated community in moving forward with submission of this information. This includes development of electronic reporting forms and outreach efforts to test these forms for ease of submission and accessibility. This paper represents another step in EPA’s effort to aid the electronic reporting effort.

This paper supports implementation of the final rule by providing further information for the data elements identified in the final rule (Appendix A to 40 CFR 127). In particular, this paper provides more information on the requirements, reference values, system requirements, and important dates for implementing data elements specific to tracking approved electronic reporting waivers and progress in transitioning to electronic reporting. This paper also summarizes details for other Phase 1 data elements. See Attachment 1 for a listing of the data elements discussed in this paper.

These data are gathered during the NPDES permit application process (individually permitted facilities and general permit covered facilities) and authorized NPDES program management and oversight of NPDES-regulated entities. EPA will use this paper as one of many resources to develop electronic reporting tools and to update NPDES data sharing protocols and schemas, EPA's national NPDES data system (ICIS-NPDES), and the forthcoming NPDES Noncompliance Report (NNCR).

EPA will work collaboratively with authorized NPDES programs on the recommended actions in this paper. Authorized NPDES programs can request data entry help from EPA by sending an email to: NPDESReporting@epa.gov.

Implementation Technical Paper No. 3

Data Elements for Tracking Electronic Reporting Progress and Other Phase 1 Data Elements

1. Data Elements Specific to Tracking Approved Electronic Reporting Waivers

Overview

During the rulemaking process, States and NPDES-regulated entities requested that states have more flexibility in deciding who should be eligible for temporary waivers. Commenters also requested other changes with respect to electronic reporting waivers. These comments requested that:

- States should be allowed to issue temporary waivers with a longer duration than the one-year renewable timeframe identified in the proposed rule;
- EPA should create a new category of waivers for religious communities (permanent waivers); and
- EPA should create a new category of waivers (episodic waivers) to account for extreme circumstances (e.g., hurricanes, earthquakes, system-outages).

EPA agreed with these comments and incorporated additional flexibilities into the final rule for electronic reporting waivers. Below are the requirements in the final rules for these electronic reporting waivers.

The final rule required authorized NPDES programs to submit an implementation plan to EPA for review [see 40 CFR 127.26(h)]. This plan must include a description of their electronic reporting waiver approval process. In accordance with the final rule, EPA will inform the authorized NPDES program if the waiver approval process is adequate. Authorized NPDES programs must also submit an updated waiver approval process to EPA every five years thereafter [see 40 CFR 127.26(i)]. EPA will use the data in ICIS-NPDES and its review of each authorized NPDES program waiver process to ensure that EPA can identify each facility that has an electronic reporting waiver.

Temporary Waivers

The final rule has the following requirements for temporary waivers from NPDES electronic reporting. The final rule outlines a process for these temporary waiver requests [see 40 CFR 127.15(b)].

- It is the duty of the owner, operator, or duly authorized representative of the NPDES-regulated entity to initiate the process by submitting a temporary waiver request.
- Each temporary waiver must not extend beyond five years. However, NPDES-regulated entities may re-apply for a new temporary waiver.
- An approved temporary waiver is not transferrable to another owner or operator (as defined in 40 CFR 122.2).

Permanent Waivers

The final rule has the following requirements for permanent waivers from NPDES electronic reporting. The final rule outlines a process for these permanent waiver requests [see 40 CFR 127.15(c)].

- It is the duty of the owner, operator, or duly authorized representative of the NPDES-regulated entity to initiate the process by submitting a permanent waiver request.
- Permanent waivers are only available to facilities and entities owned or operated by members of religious communities that choose not to use certain modern technologies (e.g., computers, electricity).
- An approved permanent waiver is not transferrable to another owner or operator (as defined in 40 CFR 122.2).

Episodic Waivers

The final rule also includes episodic waivers, which may be granted by the authorized NPDES program or the Initial Recipient to address unforeseen and extreme circumstances. The final rule outlines a process for these episodic waivers [see 40 CFR 127.15(d)]. Episodic waivers are only available to facilities and entities in the following circumstances:

- Large scale emergencies involving catastrophic circumstances beyond the control of the facilities, such as forces of nature (e.g., hurricanes, floods, fires, earthquakes) or other national disasters. The authorized NPDES program will make the determination if an episodic waiver is warranted in this case and must receive the hardcopy submissions.
- Prolonged electronic reporting system outages (i.e., outages longer than 96 hours). The initial recipient, which may also be the authorized NPDES program, will make the determination if an episodic waiver is warranted in this case and must receive the hardcopy submissions.

EPA recommends that authorized NPDES programs document these episodic waivers to ensure good coordination with NPDES-regulated entities.

- No waiver request from a NPDES-regulated entity is required to obtain an episodic waiver from electronic reporting.
- Episodic waivers are not transferrable to another owner or operator (as defined in 40 CFR 122.2).
- Episodic waivers cannot last more than 60 days. The authorized NPDES program should issue a new episodic waiver if the unforeseen and extreme circumstances last longer than 60 days.

EPA recommends that authorized NPDES programs consider how they will document and disseminate information about any future episodic waivers prior to an actual unforeseen and extreme event. This planning will be helpful as unforeseen and extreme circumstances present unusual difficulties to electronic reporting.

EPA also notes that the final rule allows authorized NPDES programs to set the “DMR Non-Receipt Tracking” and “Permit Compliance Tracking Status” data elements to “Off.” Setting these data elements to “Off” for a NPDES permittee means that EPA’s NPDES data system (ICIS-NPDES) will not automatically

track compliance for the permittee (e.g., compliance with effluent limits or DMR reporting requirements). Authorized NPDES programs may elect to use these data elements for facilities with episodic waivers during large-scale emergencies or prolonged electronic reporting system outages. Use of these data elements should not last longer than 60 days for each episodic waiver.³

Requirements Related to Approved Electronic Reporting Waivers

EPA is using the following three data elements to track facilities that have either temporary or permanent waivers (see also Attachment 1).

- Electronic Reporting Waiver Type
- Electronic Reporting Waiver Effective Date
- Electronic Reporting Waiver Expiration Date

Authorized NPDES programs can input these data into ICIS-NPDES directly (see screenshot below) or through EDT.

Permit	Dates
*NPDES ID: VA0025143	Original Issue Date: 07/01/1978
Issue Date: 01/09/2014	Issue Date: 01/09/2014
Effective Date: 01/09/2014	Effective Date: 01/09/2014
Expiration Date: 01/08/2019	Expiration Date: 01/08/2019
Retirement Date:	Retirement Date:
Termination Date:	Termination Date:
Electronic Reporting Waiver Type: [None]	Electronic Reporting Waiver Type: [None]
Waiver Effective Date:	Waiver Effective Date:
Waiver Expiration Date:	Waiver Expiration Date:

The “Electronic Reporting Waiver Type” and “Electronic Reporting Waiver Expiration Date” data elements are listed in Appendix A to 40 CFR 127. The “Electronic Reporting Waiver Effective Date” data element is an optional data element as it is not listed in Appendix A to 40 CFR 127. Although, authorized NPDES programs are not required to share this data element with EPA, EPA encourages them to do so as EPA plans to use this data element to help assess compliance with the 5-year limit on temporary waivers. See 40 CFR 127.15(b)(1).

Authorized NPDES programs will directly enter these electronic reporting waiver data into ICIS-NPDES or share these data with ICIS-NPDES through electronic data transfers (EDT). As noted in Attachment 1 (see column labeled “NPDES Data Group Number,” the authorized NPDES program is the source of these data elements (as “NPDES Data Group Number = 1” identifies the authorized NPDES program as the source of the data element).

³ U.S. EPA, 2016a. “NPDES Electronic Reporting Implementation Guidance for Tracking Compliance and Major Designations,” Memorandum from David Hindin, Director, Office of Compliance, to EPA Regional and Authorized State Water Division Directors.

NPDES-regulated entities should send their electronic reporting waiver requests to their authorized NPDES program using the procedure and forms identified by the authorized NPDES program.⁴ Data regarding all approved electronic reporting waivers should be entered into ICIS-NPDES in a timely manner (e.g., with 40 days of a final determination). As previously noted, EPA will use these data elements to identify facilities that have either temporary or permanent waivers.

Sharing these data with EPA's national NPDES data system (ICIS-NPDES) is particularly useful when the NPDES program is 'split' between a state and EPA Region. For example, a state may be authorized for the core NPDES program (40 CFR part 122) but not the Federal pretreatment program (40 CFR part 403) and/or the Federal biosolids program (40 CFR part 503).⁵ Proper use of these data elements and timely sharing with EPA's national NPDES data system (ICIS-NPDES) will allow both EPA and states to clearly identify facilities that have approved electronic reporting waivers.

The final rule includes the following requirements for authorized NPDES programs in administering electronic reporting waivers.

- Authorized NPDES programs must track facilities that have either temporary or permanent waivers and share this information with EPA (see 40 CFR 127.23). NPDES-regulated entities may have more than one NPDES ID. For example, a NPDES-regulated entity may have one NPDES ID for a NPDES permit controlling their main wastewater discharge and another NPDES ID for another NPDES permit controlling their stormwater discharge. Consequently, the authorized NPDES program should share electronic reporting information for all NPDES IDs that correspond to a NPDES-regulated entity that has a temporary or permanent electronic reporting waiver.
- NPDES-regulated entities with approved temporary or permanent electronic reporting waivers must provide the minimum set of NPDES data (see Appendix A to 40 CFR 127) as well as other required information in compliance with statutes, regulations, the NPDES permit, another control mechanism, or an enforcement order in hard-copy format (with hand-written signature) to their authorized NPDES program (see 40 CFR 127.15).
- The authorized NPDES program will make the determination if an episodic waiver is warranted for large scale emergencies involving catastrophic circumstances beyond the control of the facilities and whether these facilities must submit hardcopy submissions and the timing of these submissions [see 40 CFR 127.23(d)(4)(i)].
- The initial recipient, which may also be the authorized NPDES program, will make the determination if an episodic waiver is warranted for prolonged electronic reporting system outages (i.e., outages longer than 96 hours) and whether these facilities must submit hardcopy submissions and the timing of these submissions [see 40 CFR 127.23(d)(4)(ii)].
- As noted in recent guidance to EPA Regions and states, EPA's national NPDES data system (ICIS-NPDES) is configured to perform compliance determinations for permittees with temporary or permanent waivers.⁶
- Authorized NPDES programs must electronically transfer to EPA the minimum set of NPDES data that they received in a hard-copy format from the NPDES-regulated entities with approved

⁴ Currently, EPA has authorized 46 states and the U.S. Virgin Islands to administer the NPDES program. NPDES-regulated entities in these states and this territory should send their electronic reporting waivers to their state or territory.

⁵ See: <https://www.epa.gov/npdes/npdes-state-program-information>

⁶ U.S. EPA, 2016a.

electronic reporting waivers in a timely fashion (i.e., “within 40 days of the completed activity”) [see 40 CFR 127.24(c)].

- NPDES-regulated entities that have received a waiver from electronic reporting are excluded from EPA’s electronic participation rate assessments as these facilities do not need to electronically submit their NPDES program data [see 40 CFR 127.26(j)].

The following are the system rules for these data elements (in accordance with the ICIS schema):

- The most current status for these data should be shared with EPA's national NPDES data system (ICIS-NPDES) for each version of the permit. ICIS-NPDES will only retain the most current status of these data for each version of the permit.
- Authorized NPDES programs should copy forward the electronic reporting waiver data elements on permit reissuance in accordance with the following:
 - Electronic reporting waiver data elements are always copied forward for approved electronic reporting permanent waivers;
 - Electronic reporting waiver data elements are copied forward for approved electronic reporting temporary waivers (TMP) when the “Electronic Reporting Waiver Expiration Date” is after the new permit effective date.

[Note: Authorized NPDES programs will also share the electronic reporting waiver data elements with EPA if the authorized NPDES program authorizes a new electronic reporting waiver at the same time that a NPDES permit is reissued.]

- These electronic reporting waiver data elements do not apply to Master General Permits or Unpermitted Facilities.
- If “Electronic Reporting Waiver Type” is permanent (PER), the “Electronic Reporting Waiver Expiration Date” should be left blank.
- If “Electronic Reporting Waiver Type” is blank, then “Electronic Reporting Waiver Effective Date” and “Electronic Reporting Waiver Expiration Date” should not be reported (i.e., these fields should be blank in ICIS-NPDES). This would be the case for NPDES-regulated facilities that do not have an electronic reporting waiver.
- The values for “Electronic Reporting Waiver Effective Date” and “Electronic Reporting Waiver Expiration Date” can be past, present, or future.

Planned Uses for Electronic Reporting Waiver Data Elements

As previously noted, use of these data elements will allow EPA and states to identify facilities that have a temporary or permanent waiver from electronic reporting. These data elements will only track the most current electronic reporting waiver information for the current permit version (no historical information on prior approved electronic reporting waivers for the current permit version). EPA is also planning the following uses for these data elements.

- EPA’s electronic reporting participation rate calculations [required as per 40 CFR 127.26(j)] will exclude facilities with approved temporary or permanent electronic reporting waivers (i.e., “Electronic Reporting Waiver Type” = TMP or PER). EPA’s new “NPDES eRule Readiness and Data Completeness Dashboard” will display the data that EPA intends to use for these electronic reporting participation rate calculations.
- EPA’s forthcoming “NPDES Lookup Tool” will allow users to identify how they should report their NPDES program information. EPA will use these data elements to identify specific facilities that

are excluded from NPDES electronic reporting requirements. See Attachment 2 for a mock-up of this tool.

- EPA plans to use these data elements to assess compliance with the 5-year limit on temporary waivers (“Each temporary waiver must not extend beyond five years.”). See 40 CFR 127.15(b)(1).
- EPA plans to use these data elements to ensure that states only approve permanent waiver requests for “religious communities that choose not to use certain modern technologies (e.g., computers, electricity).” See 40 CFR 127.15(c)(1).
- EPA will use these data elements to enable effective communication across ‘split’ NPDES programs (e.g., a state is authorized to administer the core NPDES program (40 CFR part 122) but not the Federal pretreatment program (40 CFR part 403).
- EPA plans to update ECHO to identify NPDES-regulated entities with approved temporary or permanent electronic reporting waivers.

As noted above, NPDES-regulated entities that have received a temporary or permanent waiver from electronic reporting are excluded from EPA’s electronic participation rate assessments [see 40 CFR 127.26(j)]. The following is an example of how EPA would perform the electronic participation rate assessment for individually permitted DMR filers in a state with the following information:

Total Number of DMR Filers (individually permitted, regular submission frequency):	1,020
Total Number of DMR Filers (individually permitted, regular submission frequency) with Temporary or Permanent Waivers:	20
Total Number of DMR Filers (individually permitted) that electronically filed at least one DMR in the past prior year ⁷ :	910

The electronic participation rate for individually permitted DMR filers (regular submission frequency) in this example state is:

$$91\% [= 910 / (1,020 - 20)]$$

As noted in Section 3 and Attachment 1, EPA will use the “Electronic Submission Type (Compliance Monitoring Activity)” data element to identify how DMRs were submitted. For example, this data element will identify if a DMR filer is electronically submitting their DMRs. EPA will also limit these calculations to facilities that report DMRs to the permitting authority on a regular frequency (i.e., NPDES Data Group Number = G3A). The “Electronic Submission Type (Compliance Monitoring Activity)” and “NPDES Data Group Number” data elements are discussed in Section 2.

Next Steps

EPA implemented these data elements in ICIS Release 7.6, which was put into production on 18 February 2017. EPA has also updated the related ICIS Schema and incorporated these data elements. It is important to note that EPA is initially implementing these data elements as optional data elements in the ICIS Schema as most facilities will not have an authorized electronic reporting waiver. EPA does not want electronic data transmissions to fail from authorized NPDES programs during implementation. It is

⁷ EPA selected a year for conducting this evaluation as EPA conducts the electronic participation rate assessments each June. EPA NPDES regulations also require most NPDES-regulated entities to report their monitoring results at least annually [see § 122.44(i)(2)].

important to note that authorized NPDES programs must share Appendix A data elements with EPA even though EPA initially implemented these data elements as optional data elements in the ICIS Schema. The final rule states that all of the data elements in Appendix A must be electronically shared with EPA's national NPDES data system (ICIS-NPDES) in a timely, accurate, and nationally consistent process (see 40 CFR 127.23).

ACTION: EPA requests that authorized NPDES programs start sharing these electronic reporting data elements with ICIS-NPDES. If authorized NPDES programs need to prioritize their efforts, they should first focus on sharing these data for DMR filers (Phase 1 implementation of the final rule).

EPA plans to update the “NPDES eRule Readiness and Data Completeness Dashboard” to use these data elements for DMR filers by 1 January 2018. EPA plans to update ECHO to identify NPDES-regulated entities with approved temporary or permanent electronic reporting waivers (i.e., “Electronic Reporting Waiver Type” = TMP or PER).

Authorized NPDES programs can request data entry help from EPA by sending an email (NPDESeReporting@epa.gov).

2. Data Elements Specific to Tracking Progress in Transitioning to Electronic Reporting

Overview

EPA is using several data elements to evaluate progress with implementing the electronic reporting requirements in the final rule. In particular, EPA intends to use the following three data elements to identify facilities that have or will be converted from paper to electronic reporting by NPDES Data Group (e.g., percentage of individually permitted facilities that electronically submit a DMR within the past year) and how these facilities made these submissions (see also Attachment 1). EPA will make an assessment for each authorized NPDES program. These data elements are included in Appendix A to 40 CFR 127.

- NPDES Data Group Number
- Electronic Submission Type (General Permit Reports)
- Electronic Submission Type (Compliance Monitoring Activity)

It is important to note that “NPDES Data Group Number” data element identifies the types of NPDES program data that are required to be reported by the facility (e.g., DMRs), regardless of how they are currently collected, and this data element is populated by the authorized NPDES program. This data element identifies the notices or reports that the facility is required to submit (Phase 1 and 2 data) and does not track whether these submissions were made electronically.

As previously noted, EPA will assess the electronic reporting participation rate of NPDES-regulated entities in each state and by each data group [see 40 CFR 127.26(j)]. EPA provided a goal of 90-percent participation rate for each NPDES Data Group in the preamble to the final rule. EPA is using the 90-percent participation rate goal because this single simple measure will be an effective system to track progress and prompt NPDES regulated entities and authorized NPDES programs to switch from paper to electronic reporting within a reasonable time period (see 80 FR 64075; 22 October 2015). The final rule implementation plan requires EPA to perform these electronic reporting participation rates calculations each June 21st [see 40 CFR 127.26(j)].

EPA also listened to state commenters during the rulemaking and noted that it would perform two electronic submission participant rate calculations for DMR filers. During implementation of the final rule, EPA will calculate an electronic submission participant rate for individually permitted facilities and another DMR electronic submission participant rate for facilities covered under general permits. EPA noted that there are important differences between individually permitted facilities, which tend to be the larger facilities with a continuous discharge like POTWs, and facilities covered under general permits, which tend to be more numerous. Some authorized NPDES programs also use different agencies to manage specific industrial sectors (e.g., oil and gas facilities, mines, CAFOs) and general permits often cover these industrial sectors. Using the two electronic submission participant rate for DMR filers will allow EPA to more accurately target only those facilities and sectors with the poorest electronic reporting participation rates. EPA will continue to work with states to evaluate how best to assess electronic reporting participation for general permit reports (e.g., NOIs) for different sectors (e.g., oil and gas facilities, mines, CAFOs).

EPA plans to assess data sharing for individually permitted DMR filers starting on 21 June 2017. EPA plans to assess data sharing for individually permitted DMR filers and general permit covered DMR filers on 21 June 2018 and annually thereafter. EPA notes that some general permit covered facilities only report once or twice per year. Allowing more time for authorized NPDES programs to transmit DMR data from general permit covered facilities to EPA will ensure that EPA's electronic reporting participation rate calculations accurately reflect the progress in implementing electronic reporting.

For assessing Phase 2 implementation, EPA will annually calculate the electronic reporting participation rate calculations for facilities that file general permit reports and program reports (starting on 21 June 2021). For example, EPA will assess the number of Pretreatment Program Report filers that electronically filed at least one of these reports within the previous year [i.e., "NPDES Data Group Number" = G07; "Electronic Submission Type (Compliance Monitoring Activity)" = ES1, ES2, or ES7]. EPA will also exclude facilities that have an approved electronic reporting waiver (i.e., "Electronic Reporting Waiver Type" = TMP or PER).

EPA will evaluate overall performance by state and by NPDES data group even when a state has multiple state agencies authorized to administer the NPDES program (e.g., one state agency administers NPDES permits for oil, gas, and mining activities and another state agency administers NPDES permits for all other industrial sectors). EPA will work with authorized NPDES programs to help expedite this data sharing. In particular, EPA will use the "NPDES eRule Readiness and Data Completeness Dashboard" to identify areas where additional focus or help is needed.

Requirements for the Data Elements Tracking Progress in Transitioning to Electronic Reporting

Use of these three data elements will allow EPA and states to identify "what" reports and notices each facility must submit and "how" these reports and notices were collected. Below are the requirements for these data elements.

NPDES Data Group

The “NPDES Data Group Number” data element will only track the most current information about the NPDES reports, certifications, waivers⁸, or notices that each NPDES-regulated entity is required to submit (i.e., no historical information on prior approved electronic reporting waivers for the current permit version).

Authorized NPDES programs can input the “NPDES Data Group Number” data element into ICIS-NPDES directly (see screenshot below) or through electronic data transmissions to ICIS-NPDES. Authorized NPDES programs that use ICIS-NPDES directly can select the applicable values for the “NPDES Data Group Number” data element with a computer mouse click and can deselect a value by simultaneously pressing the “Ctrl” button with a computer mouse click.

Permit	Dates
*NPDES ID: VA0025143	Original Issue Date: 07/01/1978
Permit Status	Issue Date: 01/09/2014
*Permit Status: Effective	Effective Date: 01/09/2014
Approved for Electronic DMR Submission: <input type="checkbox"/> Yes	Expiration Date: 01/08/2019
NPDES Data Group:	Retirement Date:
G3A : DMRs: Regular Submission Frequency	Termination Date:
G3B : DMRs: Irregular Submission Frequency	Electronic Reporting Waiver Type:
G3C : DMRs: Regular Preparation Frequency - Retain Onsite	Waiver Effective Date:
G3D : DMRs: Irregular Preparation Frequency - Retain Onsite	Waiver Expiration Date:
G04 : Sewage Sludge/Biosolids Annual Program Reports	

The relationship between “NPDES ID” and “NPDES Data Group Number” can range from one to many. For example, when a POTW is required to submit a monthly Discharge Monitoring Report, Sewage Sludge/Biosolids Annual Program Report, Pretreatment Program Report, and Sewer Overflow/Bypass Event Report, the values for the “NPDES Data Group Number” data element for this facility will be G3A, G04, G07, and G09. It is important to note that this data element is not used for tracking compliance with the individual reporting requirements as other data elements are used by ICIS-NPDES to identify when reports are filed and if they are filed on time. For example, this data element is not used to identify DMR non-receipt violations.

Electronic Submission Type (Compliance Monitoring Activity)

The “Electronic Submission Type (Compliance Monitoring Activity)” data element is recorded for each submission (e.g., the submission type is recorded for each DMR submission). The “Electronic Submission Type (Compliance Monitoring Activity)” data element identifies how the authorized NPDES program collects each submission (e.g., ES1 = NPDES regulated entity submits NPDES program data using an EPA electronic reporting system). For example, see the following two screenshots for how these data are displayed in ICIS-NPDES for DMR submissions and Federal Biosolids Annual Report (40 CFR 503) submissions.

⁸ NPDES Data Group No. 2 (General Permit Reports) includes “Low Erosivity Waivers and Other Waivers from Stormwater Controls (LEWs).” See 40 CFR 122.26(b)(15).

The “Electronic Submission Type (Compliance Monitoring Activity)” data element can be incorporated into electronic reporting tools to reduce the data entry burden on EPA and authorized NPDES programs. EPA has incorporated this data element into its NPDES Electronic Reporting Tool (NeT) for the Federal Biosolids Annual Report. EPA plans to incorporate this data into EPA’s tool for collecting DMR data (NetDMR) in 2017 or early 2018 (prior to June 2018 assessment).

Electronic Submission Type (Compliance Monitoring Activity) Data Element Shown on DMR Submission

The screenshot shows the ICIS interface with a navigation bar at the top containing 'FE&C', 'NPDES', 'AIR', 'Admin', 'Reports', and 'Help'. Below the navigation bar are tabs for 'Facilities', 'NPDES Permits', 'DMRs', 'Program Reports', and 'NPDES Violations'. The 'DMRs' tab is active, and the 'Report' sub-tab is selected. The form displays permit information for NPDES ID VA0025143, including issue and expiration dates. A dropdown menu for 'Electronic Submission Type' is open, showing options: ES1: EPA electronic reporting system, ES2: Authorized NPDES program electronic reporting system, ES3: Temporary waiver; data submitted on paper and entered manually, ES4: Permanent waiver; data submitted on paper and entered manually, ES5: Episodic waiver; data submitted on paper and entered manually, ES6: Automatic ID and data capture of data submitted on paper, ES7: Other electronic reporting system (e.g., third-party), and ES8: Data submitted on paper and entered manually. A red arrow points to the 'Electronic Submission Type' label in the form.

Electronic Submission Type (Compliance Monitoring Activity) Data Element Shown on a Federal Biosolids Annual Report submission

The screenshot shows the 'Edit Biosolids Program Report' form. The 'Report Information' section displays the NPDES ID as CAL077682 and the Report Date as 05/25/2017. Under the 'Electronic Submission Type' section, the radio button for 'EPA electronic reporting system' is selected, indicated by a red arrow. Other options include 'Authorized NPDES program electronic reporting system', 'Automatic ID and data capture of data submitted on paper', 'Data submitted on paper and entered manually', 'Episodic waiver; data submitted on paper and entered manually', 'Other electronic reporting system (e.g., third-party)', and 'Permanent waiver; data submitted on paper and entered manually'.

Electronic Submission Type (General Permit Reports)

The “Electronic Submission Type (General Permit Reports)” data element is recorded at the permit level for the general permit covered facility. The “Electronic Submission Type (General Permit Reports)” data element only records the most current submission type at the permit level for each general permit covered facility. For example, see screenshot from ICIS-NPDES below for a NOI submission.

Facility

*Facility Site Name: LEASE LOTS 5&6 NORWOOD MUNICIPAL AIRPORT

Federal Grant Indicator:

Facility Type Indicator: NON-POTW

Facility Location

*Street Address: 125 ACCESS ROAD

*City: NORWOOD

*State: MA

*Zip Code: 02062

County:

Country: United States

Supplemental Location Text:

Application Received Dates

Application/NOI: 02/16/2017

Complete Application/NOI: 02/16/2017

Electronic Submission Type: ES1:EPA electronic reporting system

The “Electronic Submission Type (General Permit Reports)” data element identifies how the authorized NPDES program collects each general report submission (e.g., ES1 = NPDES regulated entity submits NPDES program data using an EPA electronic reporting system). The “Electronic Submission Type (General Permit Reports)” data element can be incorporated into electronic reporting tools to reduce the data entry burden on EPA and authorized NPDES programs. For example, EPA has incorporated this data element plans into NeT for EPA’s Construction General Permit (CGP). EPA plans to also incorporate this data element into all general permits forms that it manages in NeT prior to the Phase 2 deadline (21 December 2020).

Planned Uses for These Data Elements

EPA is also planning the following uses for these data elements.

- EPA’s electronic reporting participation rate calculations [required as per 40 CFR 127.26(j)] will use the “NPDES Data Group Number” data element to identify the NPDES reports, waivers, or notices that each NPDES-regulated entity is required to submit. Additionally, EPA will use the “Electronic Submission Type (Compliance Monitoring Activity)” and the “Electronic Submission Type (General Permit Reports)” data elements to identify how NPDES-regulated entities submitted these reports, waivers, or notices within the previous year. EPA will also use the electronic reporting waiver tracking data elements to identify NPDES-regulated entities that should be excluded from these electronic reporting participation rate calculations.
- EPA will display these electronic reporting participation rate calculations in the “NPDES eRule Readiness and Data Completeness Dashboard.” The following is the schedule for deploying

these calculations in this dashboard. This schedule will give authorized NPDES programs more time to implement electronic reporting.

- For the 21 June 2017 assessment, EPA plans to calculate the percentage of individually permitted facilities that do not have limits data in ICIS-NPDES (shown as “Permit Limits Not in ICIS” on the dashboard). EPA is limiting the June 2017 assessment to focus on individually permitted facilities that do not have limits data in ICIS-NPDES as EPA did not provide EPA Regions and states with enough time to share the data elements described in this paper (e.g., NPDES Data Group Number).
- For the 21 June 2018 assessment and annually thereafter, EPA plans to use all the data elements in this technical paper for all DMR filers. EPA will also limit these calculations to facilities that report DMRs to the permitting authority on a regular frequency (i.e., “NPDES Data Group Number” = G3A) and exclude facilities that have an approved electronic reporting waiver (i.e., “Electronic Reporting Waiver Type” = TMP or PER). EPA will also identify if DMR filer electronically submitted their DMRs by using the “Electronic Submission Type (Compliance Monitoring Activity)” data element (ES1, ES2, or ES7).
- For the 21 June 2021 assessment and annually thereafter, EPA plans to use all the data elements in this technical paper for all NPDES-regulate entities that file general permit reports and program reports. EPA will use the “NPDES Data Group Number” to identify the NPDES reports, waivers, or notices that each NPDES-regulated entity is required to submit. EPA will exclude facilities that have an approved electronic reporting waiver (i.e., “Electronic Reporting Waiver Type” = TMP or PER). For each assessment EPA will also identify if general permit reports were electronically filed within the preceding year by using the “Electronic Submission Type (General Permit Reports)” data element [ES1, ES2, ES6 (construction stormwater general permit covered facilities only), or ES7]. EPA will also identify if program reports were electronically filed within the preceding year by using the “Electronic Submission Type (Compliance Monitoring Activity)” data element (ES1, ES2, or ES7).
- EPA’s forthcoming “NPDES Lookup Tool” will allow users to identify how they should report their NPDES program information. EPA will use the “NPDES Data Group Number” data element to identify the NPDES reports, waivers, or notices that each NPDES-regulated entity is required to submit. See Attachment 2.
- EPA will use the “NPDES Data Group Number” data element for communication to the permittee on updates to EPA’s national NPDES data system (ICIS-NPDES), electronic reporting tools and resources, and ECHO.
- EPA will use the “NPDES Data Group Number” data element to enable effective communication across ‘split’ NPDES programs. For example, a state may be authorized for the core NPDES program (40 CFR part 122) but not the Federal pretreatment program (40 CFR part 403) and/or the Federal biosolids program (40 CFR part 503). Use of this data element will allow both EPA and states to clearly identify the NPDES reports, waivers, or notices that each NPDES-regulated entity is required to submit.

EPA will closely coordinate with states that are not authorized to administer all aspects of the NPDES program (so called 'split' NPDES programs). In particular, EPA will work with these states to ensure that the "NPDES Data Group Number" data in ICIS-NPDES correctly reflects the required reporting requirements. For example, Arkansas will identify the permittees that need to file DMRs and pretreatment program reports as the state is authorized to administer the core NPDES program (40 CFR 122) and the pretreatment program (40 CFR 403). Accordingly, EPA will identify the NPDES-regulated entities in Arkansas that need to file the Federal biosolids annual report as Arkansas is not authorized to administer the Federal biosolids program (40 CFR 503).

Next Steps

EPA implemented these three data elements in ICIS Release 7.6, which was put into production on 18 February 2017. EPA has also updated the related ICIS Schema and incorporated these three data elements. It is important to note that EPA is initially implementing these three data elements as optional data elements in the ICIS Schema as most authorized NPDES programs will not initially have these data electronically. EPA does not want electronic data transmissions to fail from authorized NPDES programs during implementation. It is important to note that authorized NPDES programs must share these three Appendix A data elements with EPA even though EPA initially implemented these three data elements as optional data elements in the ICIS Schema. The final rule states that all of the data elements in Appendix A must be electronically shared with EPA's national NPDES data system (ICIS-NPDES) in a timely, accurate, and nationally consistent process (see 40 CFR 127.23).

ACTION: Authorized NPDES programs should start sharing the "NPDES Data Group Number" data element with ICIS-NPDES by 1 September 2017. Likewise, authorized NPDES programs should start sharing the "Electronic Submission Type (Compliance Monitoring Activity)" data element with ICIS-NPDES by 1 December 2017. EPA is providing authorized NPDES programs additional time to incorporate this data element into their electronic reporting tools. EPA will use these data for its June 2018 assessment and annually thereafter.

EPA plans to incorporate the "Electronic Submission Type (Compliance Monitoring Activity)" data element into EPA's tool for collecting DMR data (NetDMR) in 2017 or early 2018 (prior to June 2018 assessment). Authorized NPDES programs should do likewise for their eDMR systems.

EPA will continue to coordinate with authorized NPDES programs on sharing the "Electronic Submission Type (General Permit Reports)" data element during Phase 2 implementation. EPA plans to also incorporate this data element into all general permits forms that it manages in NeT prior to the Phase 2 deadline (21 December 2020). EPA will work collaboratively with authorized NPDES programs to ensure that they are transmitting these data by the Phase 2 deadline. Authorized NPDES programs also have the option to immediately start sharing these data as this data element is in the ICIS schema.

Authorized programs will only need to complete these data elements for the programs that they are authorized to administer (e.g., a state that is not authorized to administer the Federal pretreatment program would not need to identify the facilities that must file the pretreatment program report).

EPA plans to update the "NPDES eRule Readiness and Data Completeness Dashboard" to use these data elements for DMR filers by 1 January 2018.

Authorized NPDES programs can request data entry help from EPA by sending an email (NPDESeReporting@epa.gov).

3. Data Elements Specific to Program Reports (General)

These data elements help uniquely identify each program report submission and the program report type. These data elements are included in Appendix A to 40 CFR 127.

- Program Report Event ID
- Start Date of Reporting Period (Program Report)
- End Date of Reporting Period (Program Report)
- NPDES Data Group Number (Program Report)

With ICIS Release 7.5, EPA added “Start Date of Reporting Period” and “End Date of Reporting Period” data elements for the new Federal Biosolids Annual Program Report (40 CFR 503). EPA plans incorporate these data elements into the new program reports as it implements electronic reporting for the remaining program reports. It is important to note that legacy ICIS-NPDES program reports do not yet have these data elements.

The “Program Report Event ID” data element is the unique identifier for each program report submission. This will provide for unique tracking of program report submissions. This data element can be system generated by the NPDES electronic reporting tool (e.g., EPA’s NeT) or the EPA’s national NPDES data system (ICIS-NPDES). The “Start Date of Reporting Period (Program Report)” and “End Date of Reporting Period (Program Report)” are the start and end dates for each program report submission.

The “NPDES Data Group Number (Program Report)” identifies the NPDES Data Group for each program report submission. This corresponds to Table 1 in Appendix A [e.g., G04 = Sewage Sludge/Biosolids Annual Program Report (40 CFR 503)]. Additionally, the following values will be used for facilities that file significant industrial user compliance reports [40 CFR 403.12(e) and (h)]: G8A = SIU Compliance Reports (EPA is Control Authority), G8B = SIU Compliance Reports (State is Control Authority); and G8C = SIU Compliance Reports (POTW is Control Authority).⁹ This can be a system generated data element (e.g., generated by the electronic reporting tool). It is important to note that this data element should be included in each program report submission as it identifies the type of program report submitted by the NPDES-regulated entity. As previously noted, a similar but different data element, the “NPDES Data Group Number,” tracks the most current information about the NPDES reports, certifications, waivers, or notices that each NPDES-regulated entity is required to submit. EPA will use these two data elements, “NPDES Data Group Number” and “NPDES Data Group Number (Program Report)”, to identify what information each NPDES-regulated entity is required to submit and whether the entity actually submitted this information. This will be useful for tracking compliance with the final rule.

As noted in Attachment 1, authorized NPDES programs will directly enter the “Program Report Event ID” data element into ICIS-NPDES or share this data element with ICIS-NPDES through EDT. This data element can also be system generated by the electronic reporting tool. The NPDES-regulated entity is the source of the other three data elements.

⁹ EPA notes that some authorized NPDES programs electronically collect these significant industrial user compliance reports using the same tool that they use for Discharge Monitoring Reports. Regardless of the electronic reporting tool, facilities that file significant industrial user compliance reports [40 CFR 403.12(e) and (h)] should be identified with G8A, G8B, or G8C.

Next Steps

EPA implemented these data elements in ICIS Release 7.6, which was put into production on 18 February 2017. EPA has also updated the related ICIS Schema and incorporated these data elements. It is important to note that EPA is initially implementing these data elements as optional data elements in the ICIS Schema as most authorized NPDES programs will not have these data electronically. EPA does not want electronic data transmissions to fail from authorized NPDES programs during implementation. It is important to note that authorized NPDES programs must share these Appendix A data elements with EPA even though EPA initially implemented these data elements as optional data elements in the ICIS Schema. The final rule states that all of the data elements in Appendix A must be electronically shared with EPA's national NPDES data system (ICIS-NPDES) in a timely, accurate, and nationally consistent process (see 40 CFR 127.23).

ACTION: EPA requests that authorized NPDES programs start sharing these data elements as they implement electronic reporting for the NPDES program reports. EPA will work collaboratively with authorized NPDES programs to ensure that they are transmitting these data prior to the Phase 2 deadline (21 December 2020).

EPA will work with authorized NPDES programs to help expedite this data sharing. In particular, EPA will use the “NPDES eRule Readiness and Data Completeness Dashboard” to identify areas where additional focus or help is needed. Authorized NPDES programs can request data entry help from EPA by sending an email (NPDESeReporting@epa.gov).

4. Other Phase 1 Data Elements

This paper also discusses the following Phase 1 data elements. These data elements are included in Appendix A to 40 CFR 127.

- DMR Non-Receipt Tracking
- DMR Non-Receipt Tracking Start Date
- Single Event Violation Start Date
- Supplemental Environmental Project Identifier
- Supplemental Environmental Project Amount
- Supplemental Environmental Project Description

The final rule includes data elements that allow authorized NPDES programs to manually override system-generated compliance evaluations for permittees. For example, the “DMR Non-Receipt Tracking” data element allows authorized ICIS-NPDES users to turn non-receipt tracking for compliance monitoring submissions [e.g., discharge monitoring reports (DMRs)] “On” or “Off” for non-major permits (a.k.a. “minors”). The “DMR Non-Receipt Tracking Start Date” data element records the start date for each change (i.e., “Off” to “On” as well as “On” to “Off”). In particular, ICIS-NPDES stores the start and end date for each change in the “DMR Non-Receipt Tracking” data element (ICIS-NPDES table: “ICIS_PERM_DMR_NON_RECEIPT”).

EPA previously provided guidance to authorized NPDES programs regarding how they should use the “DMR Non-Receipt Tracking” and “DMR Non-Receipt Tracking Start Date” data elements as well as four

other data elements that can manually override system-generated compliance evaluations for permittees (see U.S. EPA, 2016a).¹⁰ This guidance document also discusses how authorized NPDES programs should use six data elements that can manually override system-generated compliance evaluations for permittees. EPA made these changes to these data elements in ICIS-NPDES on 19 December 2016. EPA has also developed a process for tracking and displaying DMR non-receipt for non-majors.¹¹

EPA also updated the system requirements for the “Single Event Violation Start Date” data element. In particular, the final rule consolidated the “Single Event Violation Date” and “Single Event Violation Start Date” data elements into one data element (“Single Event Violation Start Date”). ICIS-NPDES populates the “Single Event Violation Start Date” data element with the “Single Event Violation End Date” data element if the “Single Event Violation Start Date” data element is not provided (is blank) when the authorized NPDES program reports the single event violation. This would represent a one-day single event violation. Guidance on reporting a multi-day single event violation and an on-going single event violation is provided below.

EPA updated ICIS-NPDES to include three data elements that are specific to Supplemental Environmental Projects (SEPs). These three data elements were requested by states during the final rule as some states rely on SEPs in their formal enforcement actions. These states would like the option to provide EPA with these data to document the results of their enforcement program.

As noted in Attachment 1, authorized NPDES programs will directly enter these data elements into ICIS-NPDES or share these data elements with ICIS-NPDES through EDT.

Requirements for Selected Other Phase 1 Data Elements (ICIS Schema)

- The system requirements for the new DMR Non-receipt tracking are provided in the following document: “DMR Non-Receipt Update Background Processing,” Version 1.7, December 16, 2016.¹²
- “Single Event Violation Start Date” is the date the single event violation (SEV) began or was discovered. If the SEV occurred on one date, this data element is optional as this date can be system generated to equal “Single Event Violation End Date” when left blank. The “Single Event Violation End Date” can be left blank to indicate an ongoing or unresolved SEV. The following conditions apply.
 - One-Day SEVs: “Single Event Violation Start Date” = “Single Event Violation End Date”
 - Multi-Day SEVs: “Single Event Violation Start Date” < “Single Event Violation End Date”
 - Ongoing or Unresolved SEV: “Single Event Violation Start Date” is provided (not blank) and the “Single Event Violation End Date” is blank

¹⁰ This document also provides guidance on how authorized NPDES programs should use the “Permit Major/Minor Status Indicator” and “Permit Major/Minor Status Start Date” data elements (see U.S. EPA, 2016a).

¹¹ U.S. EPA, 2016b. “Implementation Technical Paper No. 1: Public Access to Non-major DMR Data and Compliance Status,” John Dombrowski, Director, Enforcement Targeting and Data Division, Office of Compliance, to EPA Regional and Authorized State NPDES Permit and Enforcement Coordinators and State Information Technology Staff.

¹² Available through ICIS Support Portal (<https://icis.zendesk.com/hc/en-us>).

- The system requirements for the new Supplemental Environmental Project (SEP) data elements are provided in the following document: “State NPDES Formal Enforcement Action – Technical Specification,” Version 2.1, December 2016.
 - All SEPs for a Final Order should have a unique SEP ID. This applies even if duplicate data are submitted for multiple SEPs.
 - SEP Description should exist for a SEP.

The final rule states that all of the data elements in Appendix A (including these six data elements) must be electronically shared with EPA's national NPDES data system (ICIS-NPDES) in a timely, accurate, and nationally-consistent process (see 40 CFR 127.23). These six data elements are included in the Phase 1 implementation of the final rule.

Next Steps

EPA developed these data elements in ICIS Release 7.5 and the ICIS Schema, which were released on 19 December 2016.

ACTION: EPA requests that authorized NPDES programs start sharing these Phase 1 data elements with EPA's national NPDES data system (ICIS-NPDES).

EPA will work with authorized NPDES programs to help expedite this data sharing. In particular, EPA will use the “NPDES eRule Readiness and Data Completeness Dashboard” to identify areas where additional focus or help is needed. Authorized NPDES programs can request data entry help from EPA by sending an email (NPDESeReporting@epa.gov).

Attachment 1: Data Elements Discussed in this Paper

With one exception, the data elements in this attachment are listed in Appendix A to 40 CFR 127. The “Electronic Reporting Waiver Effective Date” data element is an optional data element, as it is not listed in Appendix A to 40 CFR 127. Authorized NPDES programs are not required to share this data element with EPA. EPA encourages authorized NPDES programs to share this data element with EPA as EPA plans to use this data element to help assess compliance with the 5-year limit on temporary waivers. See 40 CFR 127.15(b)(1).

Data Elements Specific to Tracking Approved Electronic Reporting Waivers		
Data Name	Data Description	NPDES Data Group Number
Electronic Reporting Waiver Type	The unique code/description that identifies whether the authorized NPDES program has granted the permittee a waiver from electronic reporting in compliance with the final rule (40 CFR 127). This data element will use the following codes: approved temporary electronic reporting waiver (TMP) and approved permanent electronic reporting waiver (PER). This data element should be left blank if the permittee has an approved episodic electronic reporting waiver or does not have an approved electronic reporting waiver.	1
Electronic Reporting Waiver Effective Date	This is the effective date for an approved temporary or permanent electronic reporting waiver. This data element should be left blank if the permittee has an approved episodic electronic reporting waiver or does not have an approved electronic reporting waiver.	1
Electronic Reporting Waiver Expiration Date	This is the expiration date for an approved temporary electronic reporting waiver. This data element should be left blank if the permittee has an approved episodic electronic reporting waiver or does not have an approved electronic reporting waiver.	1

Data Elements Specific to Tracking Progress with Conversion to Electronic Reporting		
Data Name	Data Description	NPDES Data Group Number
NPDES Data Group Number	<p>This is the unique code/description that identifies the types of NPDES program data that are required to be reported by the facility. This corresponds to Table 1 in Appendix A (e.g., G04 = Sewage Sludge/Biosolids Annual Program Reports, G05 = CAFO Annual Program Reports, G06 = MS4 Program Reports, G07 = Pretreatment Program Reports, G09 = Sewer Overflow/Bypass Event Reports, G10 = CWA section 316(b) Annual Reports). This data element can be system generated (e.g., by the electronic reporting tool or NPDES data system). This data element will record each NPDES Data Group that the facility is required to submit and a facility can have more than one NPDES Data Group. For example, when a POTW is required to submit a monthly Discharge Monitoring Report, Sewage Sludge/Biosolids Annual Program Report, Pretreatment Program Report, and Sewer Overflow/Bypass Event Report, the values for this data element for this facility will be G3A, G04, G07, and G09. The following general permit reports will have the following values for this data element: G2A = Notice of Intent to discharge (NOI); G2B = Notice of Termination (NOT); G2C = No Exposure Certification (NOE); G2D = Low Erosivity Waiver or Other Waiver from Stormwater Controls (LEW); and G2E = Termination of Low Erosivity Waiver or Other Waiver from Stormwater Controls (LEW). Additionally, the following values will be used for Discharge Monitoring Reports: G3A = The permit requires the facility to report DMRs to the permitting authority on a regular frequency (e.g., monthly); G3B = The permit requires the facility to report DMRs to the permitting authority on an irregular frequency (e.g., facility is required to report a DMR to the permitting authority when there is an unplanned discharge); G3C = The permit requires the facility to prepare DMRs on regular frequency (e.g., monthly) and to retain these DMRs (i.e., these DMRs are not reported to the permitting authority); G3D = The permit requires the facility to prepare DMRs on an irregular frequency (e.g., facility is only required to prepare a DMR when there is an unplanned discharge) and to retain these DMRs (i.e., these DMRs are not reported to the permitting authority). Additionally, the following values will be used for facilities that file significant industrial user compliance reports [40 CFR 403.12(e) and (h)]: G8A = SIU Compliance Reports (EPA is Control Authority), G8B = SIU Compliance Reports (State is Control Authority); and G8C = (SIU Compliance Reports (POTW is Control Authority).</p>	1

Data Elements Specific to Tracking Progress with Conversion to Electronic Reporting		
Data Name	Data Description	NPDES Data Group Number
Electronic Submission Type (General Permit Reports)	<p>This is the unique code/description for each general permit report submitted by the facility or entity. Notices, certifications, and waiver requests covered by this data element are listed in Table 1 in this appendix (i.e., NPDES Data Group 2). This data element describes how each submission was electronically collected or processed by the initial recipient [see §127.2(b)]. For example, these unique codes/descriptions include: ES1 = NPDES regulated entity submits NPDES program data using an EPA electronic reporting system (e.g., EPA’s NPDES Electronic Reporting Tool or “NeT”); ES2 = NPDES regulated entity submits NPDES program data using an authorized NPDES program electronic reporting system; ES3 = NPDES regulated entity has temporary waiver from electronic reporting and submits NPDES program data on paper to the authorized NPDES program. The authorized NPDES program then uses manual data entry to transcribe the data from the paper form to a NPDES data system (state or EPA); ES4 = NPDES regulated entity has a permanent waiver from electronic reporting and submits NPDES program data on paper to the authorized NPDES program. The authorized NPDES program then uses manual data entry to transcribe the data from the paper form to a NPDES data system (state or EPA); ES5 = NPDES regulated entity has an episodic waiver from electronic reporting and submits NPDES program data on paper to the authorized NPDES program. The authorized NPDES program then uses manual data entry to transcribe the data from the paper form to a NPDES data system (state or EPA); ES6 = NPDES regulated entity submits NPDES program data on paper in a form that allows the authorized NPDES program to use of automatic identification and data capture technology to electronically process these data; ES7 = NPDES regulated entity submits NPDES program data using another electronic reporting system (e.g., third-party); and ES8 = NPDES regulated entity otherwise submits NPDES program data on paper to the authorized NPDES program. The authorized NPDES program then uses manual data entry to transcribe the data from the paper form to a NPDES data system (state or EPA). This data element can sometimes be system generated (e.g., incorporated into an electronic reporting tool). This data element does not identify the electronic submission type of other reports (NPDES Data Groups = 3 through 10 in Table 1), which is tracked by the “Electronic Submission Type (Compliance Monitoring Activity)” data element.</p>	1

Data Elements Specific to Tracking Progress with Conversion to Electronic Reporting		
Data Name	Data Description	NPDES Data Group Number
Electronic Submission Type (Compliance Monitoring Activity)	<p>This is the unique code/description for each report submitted by the NPDES regulated entity. Report submissions covered by the data element are listed in Table 1 in this appendix (i.e., NPDES Data Groups 3 through 10). This data element describes how each submission was electronically collected or processed by the initial recipient [see §127.2(b)]. For example, these unique codes/descriptions include: ES1 = NPDES regulated entity submits NPDES program data using an EPA electronic reporting system (e.g., EPA’s NetDMR); ES2 = NPDES regulated entity submits NPDES program data using an authorized NPDES program electronic reporting system (e.g., state eDMR system); ES3 = NPDES regulated entity has temporary waiver from electronic reporting and submits NPDES program data on paper to the authorized NPDES program. The authorized NPDES program then uses manual data entry to transcribe the data from the paper form to a NPDES data system (state or EPA); ES4 = NPDES regulated entity has a permanent waiver from electronic reporting and submits NPDES program data on paper to the authorized NPDES program. The authorized NPDES program then uses manual data entry to transcribe the data from the paper form to a NPDES data system (state or EPA); ES5 = NPDES regulated entity has an episodic waiver from electronic reporting and submits NPDES program data on paper to the authorized NPDES program. The authorized NPDES program then uses manual data entry to transcribe the data from the paper form to a NPDES data system (state or EPA); ES6 = NPDES regulated entity submits NPDES program data on paper in a form that allows the authorized NPDES program the use of automatic identification and data capture technology to electronically process these data; ES7 = NPDES regulated entity submits NPDES program data using another electronic reporting system (e.g., third-party); and ES8 = NPDES regulated entity otherwise submits NPDES program data on paper to the authorized NPDES program. The authorized NPDES program then uses manual data entry to transcribe the data from the paper form to a NPDES data system (state or EPA). This data element can sometimes be system generated (e.g., incorporated into an electronic reporting tool). This data element does not identify the electronic submission type.</p>	1

Data Elements Specific to Program Reports (General)		
Data Name	Data Description	NPDES Data Group Number
Program Report Event ID	The unique identifier for each program report submission. This will provide for unique tracking of program report submissions. This data element can be system generated.	1
Start Date of Reporting Period (Program Report)	The start date of the reporting period for the program report. The date must be provided in YYYY-MM-DD format where YYYY is the year, MM is the month, and DD is the day. For the Sewer Overflow/Bypass Event Report this is the start or best estimate of the start date for each Sewer Overflow/Bypass Identifier.	4,5,6,7,9,10
End Date of Reporting Period (Program Report)	The end date of the reporting period for the program report. The date must be provided in YYYY-MM-DD format where YYYY is the year, MM is the month, and DD is the day. For the Sewer Overflow/Bypass Event Report this is the end or best estimate of the end date for each Sewer Overflow/Bypass Identifier.	4,5,6,7,9,10
NPDES Data Group Number (Program Report)	This data element identifies the NPDES Data Group for each program report submission. This corresponds to Table 1 in Appendix A [e.g., G04 = Sewage Sludge/Biosolids Annual Program Report (40 CFR 503)]. Additionally, the following values will be used for facilities that file significant industrial user compliance reports [40 CFR 403.12(e) and (h)]: G8A = SIU Compliance Reports (EPA is Control Authority), G8B = SIU Compliance Reports (State is Control Authority); and G8C (SIU Compliance Reports (POTW is Control Authority). This can be a system generated data element (e.g., generated by the electronic reporting tool).	4 through 10

Other Phase 1 Data Elements		
Data Name	Data Description	NPDES Data Group Number
DMR Non-Receipt Tracking	Turns non-receipt tracking for compliance monitoring submissions (e.g., discharge monitoring reports (DMRs)) “on” or “off” for non-major permits (a.k.a. “minors”). This field is always “on” for major permits. This data element is initially system generated (defaults to “on”) and the most recent value is copied when the permit is reissued. This data element will also be used to manage non-receipt tracking of periodic compliance monitoring data (40 CFR 403.12(e) and (h)) for Significant Industrial Users (SIUs) and Categorical Industrial Users (CIUs) that discharge (including non-domestic wastewater delivered by truck, rail, and dedicated pipe or other means of transportation) to one or more POTWs in states where EPA or the State is the Control Authority).	1
DMR Non-Receipt Tracking Start Date	This is the date on which the permit’s “on” or “off” period for DMR Non-Receipt tracking began. Initially system-generated to match effective date. The date must be provided in YYYY-MM-DD format where YYYY is the year, MM is the month, and DD is the day. This data element will also be used to track non-receipt of periodic compliance monitoring data (40 CFR 403.12(e) and (h)) for Significant Industrial Users (SIUs) and Categorical Industrial Users (CIUs) that discharge (including non-domestic wastewater delivered by truck, rail, and dedicated pipe or other means of transportation) to one or more POTWs in states where EPA or the State is the Control Authority).	1
Single Event Violation Start Date	The date the single event violation (SEV) began or was discovered. If the SEV occurred on one date, this data element is optional as this date can be system generated to equal “Single Event Violation End Date” when left blank. The date must be provided in YYYY-MM-DD format where YYYY is the year, MM is the month, and DD is the day.	1
Supplemental Environmental Project Identifier	The unique identifier for each supplemental environmental project. This data element can be system generated.	1
Supplemental Environmental Project Amount	The assessed cost, in dollars, of one or more of the defendant’s Supplemental Environmental Projects (SEPs). The penalty mitigation amount given for a SEP should be equivalent to a percentage of the assessed cost (typically not to exceed 80%) to implement the SEP. This data element is only required if there is a SEP and may be entered at a later date when the data is available.	1
Supplemental Environmental Project Description	This text field summarizes the Supplemental Environmental Projects (SEPs) that the respondent has completed in response to an enforcement action. This data element is only required if there is a SEP and may be entered at a later date when the data is available.	1

Attachment 2: Mock-up of EPA Website “Lookup Tool”

Overview: EPA plans to use the data elements discussed in this paper to develop the following “Lookup Tool.” This will allow permittees to easily identify what reports they must submit, who their Regulatory Authority is for each report, and the tool or method for submitting each report. For example, when a POTW is required to submit a monthly Discharge Monitoring Report, Sewage Sludge/Biosolids Annual Program Report, Pretreatment Program Report, and Sewer Overflow/Bypass Event Report, the values for the “NPDES Data Group Number” data element for this facility will be G3A, G04, G07, and G09.

Enter NPDES ID:

Results:

Facility Name: ARLINGTON COUNTY WATER POLLUTION CONTROL PLANT (VA0025143)			
NPDES Program Report(s) Required to be Submitted Electronically	Regulatory Authority	eRule Implementation Phase *	Tool or Method for Reporting **
Discharge Monitoring Reports [40 CFR 122.41(l)(4)]	Virginia DEQ	1	e-DMR <link to VA website>
Sewage Sludge/Biosolids Annual Program Reports [40 CFR part 503]	U.S. EPA	1	EPA NeT <link to NeT>
Pretreatment Program Reports [40 CFR 403.12(i)]	Virginia DEQ	2	TBD
Sewer Overflow/Bypass Event Report [122.41(l)(4), (6), and (7) and 122.41(m)(3)]	Virginia DEQ	2	TBD

* **Note:** The start dates for electronic reporting are 21 December 2016 (Phase 1) and 21 December 2020 (Phase 2).

** **Note:** This tool will also identify whether the facility has a waiver from electronic reporting.