

State of Alaska

**DEPARTMENT OF
ENVIRONMENTAL CONSERVATION**

DIVISION OF WATER



**NPDES Electronic Reporting Rule
Phase 2 Implementation Plan**

December 19, 2016

NPDES Electronic Reporting Rule Phase 2 Implementation Plan

Alaska Department of Environmental Conservation Division of Water December 19, 2016

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.

The Alaska Department of Environmental Conservation (ADEC) is investigating the use of the tools developed by the US Environmental Protection Agency (EPA) to use in the electronic reporting of Phase 2 data.

2. 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.

- A. *Number of Active and Administratively Continued Major Individual NPDES Permits:*
- B. *Number of Active and Administratively Continued Minor Individual NPDES Permits:*
- C. *Number of Active and Administratively Continued MS4 Permits:*
- D. *List of Agency General NPDES Permits with number of authorizations for each:*

The data requested in this section is contained in a separate Excel spreadsheet in Attachment 1.

3. 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.

At this time, ADEC leverages/plans to leverage the following e-reporting tools and systems:

Online Application System (OASys) – Alaska-specific online system that collects permit applications, data, payments, and signatures required to meet NPDES permit reporting. CROMERR compliant with EPA approval.

Discharge Results and Online Permitting System (DROPS) – Alaska-specific desktop application for management of NPDES permits.

NetDMR – EPA's web application used to enter and submit data required to meet NPDES permit reporting requirements. Alaska incidence is CROMERR approved.

ICIS – EPA’s Integrated Compliance Information System for NPDES permit reporting.

4. 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.

ADEC is in the process of conducting a gap analysis to determine which data in the Phase 2 Data Groups will need to be either collected and transmitted, or transmitted, to EPA.

<i>NPDES Data Group</i>	<i>Milestones</i>	<i>Target Date</i>
All Groups	Gap Analysis	March 2017
All Groups except CAFO	Needs Assessment	October 2017
All Groups except CAFO	Determine priority for build	January 2018
All Groups as prioritized by ADEC	Project Plan for implementation	July 2018
All Groups as prioritized by ADEC	TDB based on project plan	TBD

A. 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: ADEC and contractors are currently engaged in an iterative process to meet EPA’s requirements. Agency personnel and contractors are currently in the process of completing a Gap Analysis to determine where ADEC’s gaps exist related to compliance with data transmission for the Electronic Reporting Rule. Subsequent analysis upon completion of the Gap Analysis will include a Needs Analysis to help determine resource needs to meet data transmission requirements. Upon review and evaluation of the Needs Analysis, ADEC will prioritize work related to the Data Groups and build a project plan to further determine timelines for compliance.

Task Completion Timeline: Please see table at top of section.

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

Agency/Contractor/EPA Roles and Responsibilities: There are none in the state.

Task Completion Timeline: N/A for Alaska.

C. 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: ADEC and contractors are currently engaged in an iterative process to meet EPA's requirements. Agency personnel and contractors are currently in the process of completing a Gap Analysis to determine where ADEC's gaps exist related to compliance with data transmission for the Electronic Reporting Rule. Subsequent analysis upon completion of the Gap Analysis will include a Needs Analysis to help determine resource needs to meet data transmission requirements. Upon review and evaluation of the Needs Analysis, ADEC will prioritize work related to the Data Groups and build a project plan to further determine timelines for compliance.

Task Completion Timeline: Please see table at top of section.

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

Agency/Contractor/EPA Roles and Responsibilities: ADEC and contractors are currently engaged in an iterative process to meet EPA's requirements. Agency personnel and contractors are currently in the process of completing a Gap Analysis to determine where ADEC's gaps exist related to compliance with data transmission for the Electronic Reporting Rule. Subsequent analysis upon completion of the Gap Analysis will include a Needs Analysis to help determine resource needs to meet data transmission requirements. Upon review and evaluation of the Needs Analysis, ADEC will prioritize work related to the Data Groups and build a project plan to further determine timelines for compliance.

Task Completion Timeline: Please see table at top of section.

E. 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: ADEC and contractors are currently engaged in an iterative process to meet EPA's requirements. Agency personnel and contractors are currently in the process of completing a Gap Analysis to determine where ADEC's gaps exist related to compliance with data transmission for the Electronic Reporting Rule. Subsequent analysis upon completion of the Gap Analysis will include a Needs Analysis to help determine resource needs to meet data transmission requirements. Upon review and evaluation of the Needs Analysis, ADEC will prioritize work related to the Data Groups and build a project plan to further determine timelines for compliance.

Task Completion Timeline: Please see table at top of section.

F. 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: ADEC and contractors are currently engaged in an iterative process to meet EPA's requirements. Agency personnel and contractors are currently in the process of completing a Gap Analysis to determine where ADEC's gaps exist related to compliance with data transmission for the Electronic Reporting Rule. Subsequent analysis upon completion of the Gap Analysis will include a Needs Analysis to help determine resource needs to meet data transmission requirements. Upon review and evaluation of the Needs Analysis, ADEC will prioritize work related to the Data Groups and build a project plan to further determine timelines for compliance.

Task Completion Timeline: Please see table at top of section.

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

Agency/Contractor/EPA Roles and Responsibilities: ADEC and contractors are currently engaged in an iterative process to meet EPA's requirements. Agency personnel and contractors are currently in the process of completing a Gap Analysis to determine where ADEC's gaps exist related to compliance with data transmission for the Electronic Reporting Rule. Subsequent analysis upon completion of the Gap Analysis will include a Needs Analysis to help determine resource needs to meet data transmission requirements. Upon review and evaluation of the Needs Analysis, ADEC will prioritize work related to the Data Groups and build a project plan to further determine timelines for compliance.

Task Completion Timeline: Please see table at top of section.

H. Sewage Sludge/Biosolids Annual Program Reports - Complete this subsection only if the agency is the authorized NPDES program for biosolids; see 40 CFR 503 Not applicable

Agency/Contractor/EPA Roles and Responsibilities: ADEC does not have an authorized biosolids program.

Task Completion Timeline: N/A for Alaska.

5. 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.

A. General Permit Reports

CROMERR Approval Date: 9/21/2016

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

CROMERR Approval Date: N/A for Alaska

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

CROMERR Approval Date: 9/21/2016

D. Pretreatment Program Reports

CROMERR Approval Date:

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

CROMERR Approval Date:

F. Sewer Overflow/Bypass Event Reports

CROMERR Approval Date:

G. CWA section 316(b) Annual Reports

CROMERR Approval Date:

H. Sewage Sludge/Biosolids Annual Program Reports

CROMERR Approval Date: N/A for Alaska

6. 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.

The purpose of 18 AAC 83 is to implement the Alaska Pollutant Discharge Elimination System (APDES) point source wastewater discharge program in a manner that meets the purposes of AS 46.03 and in accordance with 33 U.S.C. 1342 (Clean Water Act, sec 402) and the requirements adopted by reference at 18 AAC 83.010.

18 AAC 83.010 will need to be amended to include reference to [40 CFR 127](#) – NPDES Electronic Reporting Rule.

7. 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.

Permittees must submit all Discharge Management Reports (DMRs) electronically, unless the permittee has received a waiver from ADEC based on one of the following conditions:

- ADEC has not yet implemented such electronic reporting for the relevant document to be submitted;
- If the Permittee is physically located in a geographical area that has limited or no internet access; or
- If Permittees have limitations regarding available computer access or computer capability.

A permittee may check ADEC’s website (ex. e-reporting portal) to determine whether electronic reporting for the relevant document has been implemented. If the website indicates that electronic reporting for the document to be submitted is not yet available, permittees do not need to seek a waiver for a paper submission. If a permittee wishes to obtain a waiver from submitting a report electronically, the permittee must submit a request to the Division of Water Program Office. In this request the permittee must document which exemption they meet and provide evidence supporting any claims. A waiver may only be considered granted once the permittee receives written confirmation from ADEC or its authorized representative. The waiver shall not extend beyond five years. APDES-regulated entities may re-apply for a temporary waiver.

8. 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.

The ADEC’s outreach and training program for electronic reporting will begin as soon as EPA finalizes the integration of the Central Data Exchange (CDX) with NetDMR. ADEC will continue to update ADEC’s electronic reporting rule webpage for permittee to access information on how to: register as State of Alaska (SOA) NetDMR signators, try out the SOA NetDMR test instance to become familiar with the program, who to contact for questions and how to request waivers. ADEC will at the same time issue letters to all current DMR-submitting permittees to provide them information on the upcoming electronic reporting changes and requirements. All developments with the electronic reporting rule will be maintained on the ADEC e-reporting webpage. Questions on how permits requirements may be effected will be directed through ADEC permitting and compliance staff. It is the goal of ADEC to provide as much notice and assistance to affected permittees as possible with regard to any e-reporting developments.

9. 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”.)

At this time, ADEC is not considering a second option. ADEC will continue to move forward with implementation of the EPA’s NetDMR and the use of the Division of Water’s Online Application System, a

CROMERR-compliant homegrown system. Both of these technological solutions have received CROMERR approval from EPA.

10. Obstacles to Rule Implementation

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

ADEC plans to use EPA's systems and tools and anticipates for obstacles. ADEC will consult with EPA when obstacles in using EPA's systems and tools appear.

11. 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.

ADEC and EPA have a good working relationship, and when problems appear in the implantation of this plan, ADEC will contact EPA.