

# NPDES Electronic Reporting Rule Phase 2 Implementation Plan

## For Louisiana Department of Environmental Quality December 21, 2016

### Implementation Plan Purpose

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

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

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

[NPDESElectronicReporting@epa.gov](mailto:NPDESElectronicReporting@epa.gov).

### 1. Overview/Executive Summary

The Louisiana Department of Environmental Quality currently utilizes a database to house NPDES permit information. This database, Tools for Environmental Management and Protection Organizations (TEMPO), has been the repository for electronic data related to permitting in the state of Louisiana since the late 1990s. At this time, the LDEQ Water Permits Division does not have an online application and reporting system for permittees to submit required data electronically. LDEQ's ability to accept data from permittees will be dependent upon contracting with reputable Information Technology (IT) contractors to develop an online system that both meets the requirements of the rule as well as communicates seamlessly with the TEMPO database.

Questions regarding this implementation plan may be directed to the department's Water Permit Division at (225) 219-9371.

### 2. Agency NPDES Universe

Names of NPDES individual and master general permits (MGP) and counts of general permit authorizations for each MGP currently under the jurisdiction of LDEQ as of July 22, 2016:

- A. Number of Active and Administratively Continued Major Individual NPDES Permits: 252
- B. Number of Active and Administratively Continued Minor Individual NPDES Permits: 1080
- C. Number of Active and Administratively Continued Municipal Separate Storm Sewer System (MS4) Permits:
  - a. large MS4: 4

- b. LAR04 (1,001-10,000): 12
  - c. LAR04 (10,001-50,000): 13
  - d. LAR04 (>50,000): 23
- D. List of Agency General NPDES Permits with number of authorizations for each:
- a. LAG03 – Vessel Cleaning/Repair/Shipyards: 65
  - b. LAG11 – Concrete/Asphalt: 221
  - c. LAG26 – Oil/Gas Territorial Seas: 78
  - d. LAG30 – Underground Storage Tank (UST) Dewatering: 30
  - e. LAG33 – Oil/Gas Coastal: 683
  - f. LAG38 – Potable Water: 108
  - g. LAG42 – Short Term/Emergency: 3
  - h. LAG47 – Auto Repairs/Dealers: 291
  - i. LAG48 – Light Commercial: 620
  - j. LAG49 – Sand and Gravel: 116
  - k. LAG53 – Sanitary Class I: 4112
  - l. LAG54 – Sanitary Class II: 1665
  - m. LAG56 – Sanitary Class III: 212
  - n. LAG57 – Sanitary Class IV: 391
  - o. LAG67 – Hydrdostatic Test: 171
  - p. LAG75 – Mobile/Exterior Vehicle Wash: 659
  - q. LAG78 – Construction/Demolition Debris and Woodwaste (C&D) Landfill: 27
  - r. LAG83 – Petroleum UST: 50
  - s. LAR05 – Multi-Sector General Permit (MSGP): 1438
  - t. LAG10 – Construction Stormwater: 1068

**3. Current and/or Planned NPDES Data Systems and E-reporting Tools**

LDEQ currently uses NetDMR for DMR eReporting. Currently, LDEQ has no online permit application, termination, or reporting mechanisms. Based on internal discussion, LDEQ plans to contract with CGI, Inc. to purchase their Regulatory Services Portal (RSP) and develop electronic reporting tools that connect directly to LDEQ’s TEMPO database. As part of this process, LDEQ is also currently working with other TEMPO states in a joint effort to ensure that TEMPO has the proper field structure to store required Appendix A data.

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

A. General Permit Reports - Including Notices of Intent (NOIs), Notices of Termination (NOTs), Notices of Extension (NOEs), No Exposure Certifications (NOEXP), and Low Erosivity Waivers (LEWs); see 40 CFR 122.26(b)(15), 122.28, and 124.5

Agency/Contractor/EPA Roles and Responsibilities:

Agency Roles and Responsibilities: To procure the services of CGI to purchase the RSP and then to work with the contractor to develop the online application and termination forms, ensuring that the forms communicate seamlessly with the Department’s TEMPO database and are in compliance with current regulations.

Task Completion Timeline:

4 online applications/terminations will be developed per year starting with largest permit universe and continuing through smallest. Roll-out of the applications to the public will depend on LDEQ developing a Cross-Media Electronic Reporting Rule (CROMERR) compliant portal.

Projected ranking	Permit type		Application form
-------------------	-------------	--	------------------

1	Construction * = or >5 acres	LAR10	CSW-G
2	MSGP	LAR05	MSGP-G and NOEXP
3	Sanitary Class I	LAG53	WPS-G
	Sanitary Class II	LAG54	
	Sanitary Class III	LAG56	
	Sanitary Class IV	LAG57	
4	Exterior Vehicle Wash*	LAG75	CW-G
5	Light Commercial	LAG48	LCF-G
6	Non-Stormwater GPs and Individuals (NOT)		RFT
7	MSGP Only (NOT)		MSGP-T
8	Construction * = or >5 acres (NOT)		CSW-T
9	Small Construction * >1 and < 5 acres (NOT)		SCACR
10	Auto Repair/Dealers*	LAG47	ARB-G
11	Short-Term/Emergency	LAG42	STED-G
12	Concrete/Asphalt*	LAG11	CCAF-G
13	Oil/Gas Coastal	LAG33	CWOGF-G
14	Oil/Gas Territorial Seas	LAG26	TSOGF-G
15	Vessel Cleaning/Repair/Shipyards	LAG03	BCR-G
16	Sand & Gravel	LAG49	SCC3-G
17	Petroleum UST Cleanup	LAG83	PST-G
18	UST Dewatering*	LAG30	DPST-G
19	Potable Water	LAG38	H2O-G
20	Hydrostatic Test*	LAG67	HST-G
21	C&D Landfills	LAG78	C&D-G
22	Small MS4 Population: >1000<10,000 >10,000<50,000 >50,000<150,000	LAR04	MS4-G

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

Agency/Contractor/EPA Roles and Responsibilities: To work with CGI and other TEMPO states to ensure that the appropriate fields are present in TEMPO to store required data to transfer to EPA. Once fields are

present, work with the contractor to develop the online report forms, ensuring that the forms communicate seamlessly with the Department's TEMPO database.

Task Completion Timeline: December 21, 2020

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: To work with CGI and other TEMPO states to ensure that the appropriate fields are present in TEMPO to store required data to transfer to EPA. Once fields are present, work with the contractor to develop the online report forms, ensuring that the forms communicate seamlessly with the Department's TEMPO database.

Task Completion Timeline: December 21, 2020

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

Agency/Contractor/EPA Roles and Responsibilities: To work with CGI and other TEMPO states to ensure that the appropriate fields are present in TEMPO to store required data to transfer to EPA. Once fields are present, work with the contractor to develop the online report forms, ensuring that the forms communicate seamlessly with the Department's TEMPO database.

Task Completion Timeline: December 21, 2020

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: To work with CGI and other TEMPO states to ensure that the appropriate fields are present in TEMPO to store required data to transfer to EPA. Once fields are present, work with the contractor to develop the online report forms, ensuring that the forms communicate seamlessly with the Department's TEMPO database.

Task Completion Timeline: December 21, 2020

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: To work with CGI and other TEMPO states to ensure that the appropriate fields are present in TEMPO to store required data to transfer to EPA. Once fields are present, work with the contractor to develop the online report forms, ensuring that the forms communicate seamlessly with the Department's TEMPO database.

Task Completion Timeline: December 21, 2020

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

Agency/Contractor/EPA Roles and Responsibilities: To work with CGI and other TEMPO states to ensure that the appropriate fields are present in TEMPO to store required data to transfer to EPA. Once fields are present, work with the contractor to develop the online report forms, ensuring that the forms communicate seamlessly with the Department's TEMPO database.

Task Completion Timeline: December 21, 2020

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

Agency/Contractor/EPA Roles and Responsibilities: To work with CGI and other TEMPO states to ensure that the appropriate fields are present in TEMPO to store required data to transfer to EPA. Once fields are present, work with the contractor to develop the online report forms, ensuring that the forms communicate seamlessly with the Department's TEMPO database.

Task Completion Timeline: December 21, 2020

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

LDEQ is currently evaluating resources necessary to determine whether it will be more economical to develop an ID management system in-house versus purchasing an existing ID management system from a contractor. Any solution will be required to interface with TEMPO as well as CGI RSP products. Once the direction has been chosen, LDEQ will be able to provide anticipated timelines for CROMERR applications and approval. LDEQ anticipates a decision on the direction by December 2017.

A. General Permit Reports

CROMERR Approval Date: December 21, 2020

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

CROMERR Approval Date: December 21, 2020

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

CROMERR Approval Date: December 21, 2020

D. Pretreatment Program Reports

CROMERR Approval Date: December 21, 2020

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

CROMERR Approval Date: December 21, 2020

F. Sewer Overflow/Bypass Event Reports

CROMERR Approval Date: December 21, 2020

G. CWA section 316(b) Annual Reports

CROMERR Approval Date: December 21, 2020

H. Sewage Sludge/Biosolids Annual Program Reports

CROMERR Approval Date: December 21, 2020

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

LDEQ is conducting an ongoing review of existing regulations which must be changed as result of the implementation of this rule. Rule promulgation will commence on attainment of CROMERR compliance (See Section 4. of this plan) and is expected to be completed within 1 year after this date, but no later than December 21, 2019. Rule changes will be focused on application and signatory requirements.

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

With the enormity of the LDEQ permit universe, the agency must be very strict in issuing waivers. LDEQ's current policy is to waive those facilities whose permits will be terminated/transferred within 60 days or if they are a member of a general permit coverage group that does not have more than 100 permits covered (currently that includes LAG03, LAG26, LAG30, LAG42, LAG78, and LAG83). These waivers will be considered upon request, last one year, and must be applied for each year to continue the waiver.

**8. Outreach and Training**

LDEQ is currently performing outreach regarding Phase 1 implementation of the eReporting rule. This includes information on LDEQ's public website, training classes, information inserted into our permits as they are issued, informational handouts given to facilities during inspections, and some state accredited labs are

informing their clients. LDEQ Water Permits will work with the LDEQ Small Business and Community Outreach section to provide training and information to those affected by Phase 2 of the rule. LDEQ is also in the process of a website redesign that will improve usability. Upon release of each new phase of eReporting, LDEQ anticipates updating website FAQs and resources to provide information to the public.

#### **9. Alternative Options**

LDEQ currently plans to implement eReporting using CGI's RSP. If issues arise from this implementation, LDEQ will explore using EPA's NeT tool as an alternative solution.

#### **10. Obstacles to Rule Implementation**

Currently the main obstacles to implementing eReporting are funding to procure contractor services for development of online tools. LDEQ is working with other states on a TEMPO enhancement project using grant funding to leverage required changes to TEMPO. LDEQ is currently looking for other grant opportunities to assist with the development of the online forms and reports.

LDEQ is also currently undergoing difficulties in moving to the latest version of TEMPO which is a requirement for use of the RSP services. LDEQ is currently participating in acceptance testing of the latest version of TEMPO.

Additionally, any solution outside of the CGI RSP will require additional enhancements to TEMPO for interoperability.

#### **11. Implementation Plan Reassessment**

LDEQ will update this plan as new information becomes available and to address any new issues that arise during the implementation of Phase 2.