



NPDES Electronic Reporting Rule – Phase 2 Extension

On January 31, 2020, EPA Administrator Andrew Wheeler signed the proposed Phase 2 Extension of the Clean Water Act National Pollutant Discharge Elimination System (NPDES) Electronic Reporting Rule. This notice proposes postponing the deadline for Phase 2 implementation by three years and giving states additional flexibility to request up to three additional years if needed, subject to EPA review and approval.

The EPA will continue to work closely with NPDES-authorized states, tribes, and U.S. territories and the regulated community to expedite the transition from paper to electronic reporting in an orderly and efficient manner.

Overview of NPDES Electronic Reporting

EPA published the National Pollutant Discharge Elimination System (NPDES) Electronic Reporting Rule (“NPDES eRule”) on 22 October 2015. The 2015 rule required EPA and states to modernize Clean Water Act (CWA) reporting for municipalities, industries and other facilities. That rule replaced most paper-based NPDES reporting requirements with electronic reporting.

EPA and states are using electronic reporting for the NPDES program to save resources, make reporting easier for regulated entities, streamline permit renewals, ensure full exchange of NPDES general permit data between authorized NPDES programs and the EPA to the public, improve better environmental decision-making, and better protect human health and the environment.

The rule identified following for electronic reporting: (1) Discharge Monitoring Reports (DMRs); (2) general permit reports (e.g., Notices of Intent to discharge in compliance with a general permit); and (3) other specified program reports. The rule divided implementation into two “Phases.” The deadline for Phase 1 implementation passed on December 21, 2016. The deadline for Phase 2 is currently December 21, 2020.

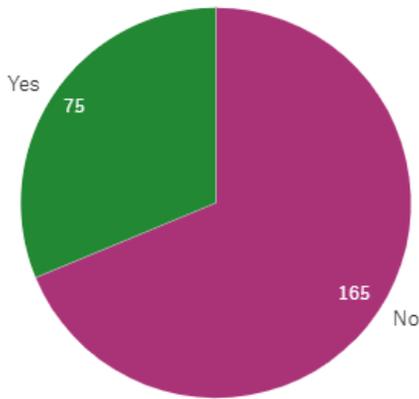
Most states and permittees have successfully implemented Phase 1 of the NPDES eRule, which includes electronic submission of DMRs and the Federal Biosolids Annual Report where EPA is the Regulatory Authority. Current tracking of Phase 1 implementation is available through the “NPDES eRule Readiness Dashboard,” which can be viewed at: <https://echo.epa.gov/trends/npdes-erule-dashboard-public>.

Progress in Deploying Electronic Reporting for the Federal Biosolids Annual Report

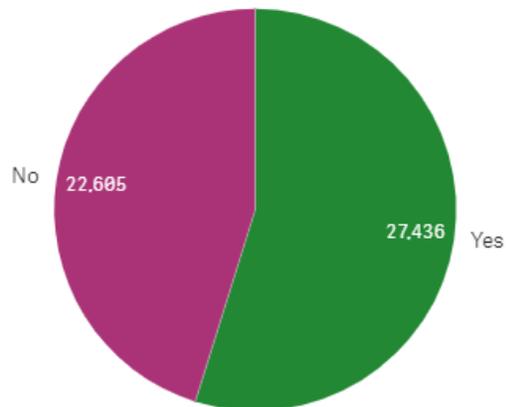


Electronic submission of all other reports and notices are part of Phase 2 implementation. EPA and states have made significant progress in implementing Phase 2 of the NPDES eRule. For example, EPA has deployed electronic reporting tools for 75 of the 240 general permits that will use EPA’s software (approximately 31%). The electronic reporting tools for these 75 general permits cover over 27,400 facilities, which is approximately 55% of the total number of facilities that will use EPA’s software.

General Permits - NeT Application Deployment



Estimated Facility Counts - NeT Application Deployment



Source: NPDES eRule Phase 2 Implementation Dashboard,
https://edap.epa.gov/echo/extensions/eRule_Phase2/eRule_Phase2.html

Purpose of Proposed Rule

In this notice, EPA proposes postponing the deadline for Phase 2 implementation by three years and providing states with additional flexibility to request up to three additional years if needed, subject to EPA review and approval. EPA could also extend the Phase 2 deadline up to three years on its own initiative if necessary. Further, this notice proposes changes to the NPDES eRule that would clarify existing requirements and eliminate some duplicative or outdated reporting requirements.

These changes will help ensure a smoother transition from paper to electronic reporting for the NPDES program. Taken together, these data standardizations and the corresponding electronic reporting requirements are designed to save the NPDES authorized programs considerable resources, make reporting easier for NPDES-regulated entities, streamline permit renewals (as permit writers typically review previous noncompliance events during permit renewal), ensure full exchange of NPDES program data between states and EPA to the public, improve environmental decision-making, and protect human health and the environment.

Further Information

For additional information, please contact Mr. Carey A. Johnston (202-566-1014), Office of Compliance (mail code 2222A), Environmental Protection Agency, 1200 Pennsylvania Avenue, N.W., Washington, DC, 20460; e-mail address: johnston.carey@epa.gov.

Useful Links:

Federal Register Link - TBA

EPA Website Link

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

NPDES eRule Readiness Dashboard

<https://echo.epa.gov/trends/npdes-erule-dashboard-public>

NPDES eRule Phase 2 Implementation Dashboard

https://edap.epa.gov/echo/extensions/eRule_Phase2/eRule_Phase2.html

Email sign up for updates, training, and outreach events

<https://public.govdelivery.com/accounts/USAEPAOECA/subscriber/new?>