

NPDES Electronic Reporting Rule Phase 2 Implementation Plan

**For California State Water Resources Control Board
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.

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 California State Water Resources Control Board (Water Board) relies on two databases for storing and managing NPDES-related data. The Stormwater Multiple Application and Reports Tracking System (SMARTS) stores data related to general stormwater permits. The California Integrated Water Quality System (CIWQS) stores other NPDES-related data. Because these databases also capture data that are outside of the scope of the eReporting Rule and we would like to keep the data altogether, we intend to be the initial recipient for all of the program areas for which

the Water Board is delegated (i.e. we are not delegated for the biosolids program so do not intent to interact with the associated data).

These databases provide a good foundation for compliance with the eReporting Rule as they already collect many of the required data points and have both been CROMERR approved. SMARTS functions as an all-electronic system, accepting electronic applications and reports submitted by Dischargers. Work will be required to define crosswalks for controlled vocabulary, when the valid values are defined for ICIS.

The electronic reporting module for CIWQS, which currently accepts submittals from individual NPDES permit holders and sends a subset of the submitted data to ICIS, must be expanded to include the program reports required by the eReporting Rule. A similar exercise must be completed for electronic applications. Defining standard reporting/application forms, confirming each required data element's status as being required in permits, and providing outreach to impacted dischargers represents the biggest workload.

Statewide permits are issued by the State Water Board, whereas regional and individual permits are issued by Regional Water Quality Control Boards. Because there are ten permitting entities to coordinate with and from which to review permits, this may be an involved process. Much of the coordination effort will be done through a roundtable, which has a representative from each entity.

Once we are collecting the required elements for all program areas, we will create the data flow. We anticipate completing this in the fifth year of the implementation period, as described in the attached Excel workbook.

The primary personnel involved with eReporting Rule compliance are from the Office of Information Management and the Division of Water Quality. Division of Information Technology and contractors will also be integral to this effort.

The executive sponsors for this project are:

- **Karen Larsen, Deputy Director, Division of Water Quality**
- **Greg Gearheart, Deputy Direct, Office of Information Management and Analysis**

The primary contact for this plan is Jarma Bennett (jarma.bennett@waterboards.ca.gov, 916-341-5532) with the Office of Information Management and Analysis.

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: 236**
- B. **Number of Active and Administratively Continued Minor Individual NPDES Permits: 224**
- C. **Number of Active and Administratively Continued MS4 Permits:**
 - a. **20 Phase I permits covering 316 entities.**
 - b. **One general Phase II permits covering 400 entities**
- D. **Agency General NPDES Permits with number of authorizations for each:**
 - a. **42 non-stormwater general permits with approximately 1,300 enrollees;**
 - b. **General stormwater permits**
 - i. **8,819 Statewide Construction enrollees**
 - ii. **11,540 Statewide Industrial permit and NEC enrollees**
 - iii. **54 Region Specific Scrap Metal enrollees**
 - iv. **20 Region Specific Construction enrollees**

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.

The Water Boards currently use SMARTS for tracking regulatory information regarding:

- **The statewide construction Stormwater permit,**
- **The statewide industrial Stormwater permit,**
- **The statewide Phase II Municipal Separate Storm Sewer System (MS4) permit and its enrollees,**
- **The statewide permit covering stormwater discharges from the facilities owned and operated by the state Department of Transportation, and**
- **Two other regional general Stormwater permits.**

The Water Boards use CIWQS for tracking regulatory information regarding all other NPDES activities.

Regulatory information includes the following record types

- **Permit**
- **Facility information,**
- **Violations,**
- **Inspections,**
- **Enforcement actions,**
- **Discharger submitted sanitary sewer overflow spill reports, and**
- **Discharger submitted self-monitoring and discharger monitoring reports.**

In order to comply with phase II of the eReporting Rule, CIWQS will need to be enhanced to include an electronic application and a customizable discharger reporting tool. We currently are working on an electronic application and have a contractor that will be working on a customizable discharger reporting tool, which should be available in spring 2017.

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.

See the attached table for milestones associated with each program area.

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.

Our processes, procedures, and technical aspects of complying with CROMERR will not change with the additional electronic reporting program areas required by the eReporting Rule. We will need to modify the CIWQS CROMEER documentation so that it covers more than individual NPDES major DMRs. It will also cover general order enrollee program reports and DMRs from minors.

The CIWQS CROMERR procedures will not apply to the submittal of an electronic NOI for non-stormwater applicants because our process flow still requires the submittal of a wet signature, which will be the copy of record.

The application and reports submittal, review, and storage procedures for SMARTS is not changing so no changing in the CROMERR application are necessary.

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

See attached milestone table, which includes milestones for permit updates in needed program areas.

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.

We would like to pursue a waiver of the electronic submittal requirement for combined sewer overflow-related data that can't be done through a DMR. Because there are only two such facilities in California, it will not be efficient to create custom reporting forms or an xml-schema for this information. The NPDES Unit will be responsible for entering any necessary data into ICIS.

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.

For each program area except industrial and construction stormwater, which has already been relying on an electronic system, the Division of Water Quality (DWQ) and the Office of Information Management and Analysis (OIMA) will be responsible for creating user-guides and hosting webinars explaining the entry procedures.

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".)

If the SMARTS-related data acquisition and transfer processes fail, all or part of the stormwater program area will rely on CIWQS. If the data acquisition and transfer processes for CIWQS fail, we will rely on EPA to be the first recipient and use NeT, NetDMR, and the other applications EPA is developing to comply with the eReporting Rule.

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

Obstacle	Strategy to Address
IT Resources	Open communication with our Division of Information Technology to include:

	<ul style="list-style-type: none"> • Prioritizing workload • Assessing staff availability • Discussing requirements and alternatives • Communicating deadlines
Contracting Obstacles (civil service requirements)	If contracts cannot be implemented, prioritize work for internal DIT staff
Failure to amend permits to include electronic reporting requirements by the Phase II deadline	Develop template language and share through the states' NPDES roundtable
CalEPA Node Resources/Issues	<ul style="list-style-type: none"> • Discuss problem resolution procedures with CalEPA • Document previously encountered problems as a reference to refer to when issues are encountered
Denial of CSO waiver	Consider EPA as the initial recipient

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.

The Water Board will assess progress with this plan annually in December. If we are not meeting our milestones, our strategy for addressing obstacles is not working, or other obstacles arise, we will open a dialogue with EPA.

California eReporting Rule Phase II Milestones

NPDES Data Group	Milestones	Target Date	Responsibilities	Comments
SW Industrial General Permit	Define Basic Facility Information (Table 2)	Completed	EPA Table 2	
	analyze SMARTS for Table 2 fields	Completed	SWRCB Staff	
	Consult EPA on Appendix A questions	6/30/2017	SWRCB/EPA Staff	
	Update SMARTS with missing fields from Table 2	N/A	SWRCB Staff	
	Discharger Training	N/A	SWRCB Staff/Dischargers	
	Dischargers submit data electronically	Completed	Dischargers	
	Transfer data to EPA	6/30/2020	SWRCB Staff	We intend to develop processes for all eReporting Phase II data to be transferred starting at the same time
SW Construction General Permit	Define Basic Facility Information (Table 2)	Completed	EPA Table 2	
	analyze SMARTS for Table 2 fields	Completed	SWRCB Staff	
	Consult EPA on Appendix A questions	6/30/2017	SWRCB/EPA Staff	
	Update SMARTS with missing fields from Table 2	N/A	SWRCB Staff	
	Discharger Training	N/A	SWRCB Staff/Dischargers	
	Dischargers submit data electronically	Completed	Dischargers	
	Transfer data to EPA	6/30/2020	SWRCB Staff	
	Define Basic Facility Information (Table 2)	Completed	EPA Table 2	

SW Municipal Permits	analyze SMARTS for Table 2 fields	Completed	SWRCB Staff	
	Consult EPA on Appendix A questions	6/30/2017	SWRCB/EPA Staff	Waiting for further guidance from EPA on requested "unique codes/descriptions"
	Migrate Phase I MS4 data from CIWQS to SMARTS	7/1/2018	SWRCB Staff	
	Update SMARTS with missing fields from Table 2	1 year after EPA defines valid values	SWRCB Staff	
	Discharger Training	1 year after EPA defines valid values	SWRCB Staff/Dischargers	
	Dischargers submit data electronically	2 years after EPA defines values	Dischargers	
	Transfer data to EPA	6/30/2020	SWRCB Staff	
Pretreatment	Define Basic Facility Information (Table 2)	Completed	EPA Table 2	
	analyze CIWQS for Table 2 fields	Completed	SWRCB Staff	
	Consult EPA on Appendix A questions	6/30/2017	SWRCB/EPA Staff	
	Investigate options for Significant Industrial User Reporting	12/31/2017		Consider EPA as first recipient
	Update CIWQS with missing fields from Table 2, if needed	12/31/2018	SWRCB Staff	
	Discharger Training, if needed	12/31/2018	SWRCB Staff/Dischargers	
	Dischargers submit data electronically, if needed	2 years after EPA defines values	Dischargers	
	Transfer data to EPA, if needed	6/30/2020	SWRCB Staff	
	Define Basic Facility Information (Table 2)	Completed	EPA Table 2	
	analyze CIWQS for Table 2 fields	Completed	SWRCB Staff	

CAFO	Update Permits Requirements (discuss with RT, MCC/DMC)	As permits are adopted	State and Regional Board staff	Discuss requirements at NPDES Roundtable and at executive management meetings.
	Consult EPA on Appendix A questions	6/30/2017	SWRCB/EPA Staff	
	Update CIWQS with missing fields from Table 2, if needed	12/31/2018	SWRCB Staff	
	Discharger Training, if needed	12/31/2018	SWRCB Staff/Dischargers	
	Dischargers submit data electronically	2 years after EPA defines values	Dischargers	
	Transfer data to EPA	6/30/2020	SWRCB Staff	
SSO	Define Basic Facility Information (Table 2)	Completed	EPA Table 2	
	analyze CIWQS for Table 2 fields	Completed	SWRCB Staff	
	Consult EPA on Appendix A questions	6/30/2017	SWRCB/EPA Staff	
	Update CIWQS with missing fields from Table 2, if needed	12/31/2018	SWRCB Staff	
	Discharger Training, if needed	12/31/2018	SWRCB Staff/Dischargers	
	Dischargers submit data electronically	2 years after EPA defines values	Dischargers	
CSO	Transfer data to EPA	6/30/2020	SWRCB Staff	
	Update Requirements	12/21/2018	Regional Board	
	Apply for exemption	3/31/2017		
	Define Basic Facility Information (Table 2)	Completed	EPA Table 2	
	analyze CIWQS for Table 2 fields	Completed	SWRCB Staff	
	Update Permits Requirements (discuss with RT, MCC/DMC)	As permits are adopted	State and Regional Board staff	Discuss requirements at NPDES Roundtable and at executive management meetings.

Core NPDES Individual	Consult EPA on Appendix A questions	6/30/2017	SWRCB/EPA Staff	
	Update CIWQS with missing fields from Table 2, if needed	12/31/2018	SWRCB Staff	
	Discharger Training, if needed	12/31/2018	SWRCB Staff/Dischargers	
	Dischargers submit data electronically	2 years after EPA defines values	Dischargers	
	Transfer data to EPA	6/30/2020	SWRCB Staff	
Core NPDES General Permits	Define Basic Facility Information (Table 2)	Completed	EPA Table 2	
	analyze CIWQS for Table 2 fields	Completed	SWRCB Staff	
	Update Permits Requirements (discuss with RT, MCC/DMC)	As permits are adopted	State and Regional Board staff	Discuss requirements at NPDES Roundtable and at executive management meetings.
	Consult EPA on Appendix A questions	6/30/2017	SWRCB/EPA Staff	
	Update CIWQS with missing fields from Table 2, if needed	12/31/2018	SWRCB Staff	
	Discharger Training, if needed	12/31/2018	SWRCB Staff/Dischargers	
	Dischargers submit data electronically	2 years after EPA defines values	Dischargers	
Transfer data to EPA	6/30/2020	SWRCB Staff		
316B Reports	Consult with EPA	3/31/2017	SWRCB Staff	
Biosolids	N/A			We are not delegated