

**NPDES Electronic Reporting Rule
Phase 2 Implementation Plan
Connecticut Department of Energy and Environmental
Protection (DEEP)**

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. 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.

1. Overview/Executive Summary

The Connecticut DEEP uses its own Site Information Management System (SIMS) for the following functions:

- permit and application tracking
- fee collection
- document management (Filenet)
- enforcement tracking:

CT DEEP also uses an electronic portal (ezFile) for the submission of registration applications for coverage under General Permits for stormwater discharges from either Construction activities or Industrial activities, which are stored in the SIMS.

CT DEEP is also a direct user of the federal Integrated Compliance Information System (ICIS) for the following NPDES functions:

- permit event tracking
- DMR reporting
- enforcement action tracking
- inspection tracking
- Master General Permits

Over the next 5 years, CT DEEP plans to develop the capability to exchange information between SIMS and ICIS via an exchange node for general permit registrations and/or use EPA NeT, for such items as Annual Program Reports, CSO and SSO reports. As general permits are reissued, requirements for reporting monitoring data via NetDMR will be included as a requirement. The general permits for Stormwater and other discharges to surface waters under the NPDES program are expected to be reissued in 2018.

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2. Agency NPDES Universe

The agency NPDES universe represents general permit (GP) authorizations and individual permits that were active as of the date specified in the last column of the table below. The number of active authorizations in this section represents a “snapshot” in time. The number changes daily as new authorizations are issued and active authorizations expire or are terminated. Updates to this section will only be provided to EPA when other sections of this Implementation Plan require updates.

Authorization Type	Master General Permit No.	Master General Permit Expires	Universe as of 12/19/2016
Construction Stormwater GP	CTGSN0000	9/30/18	510 Registrations
Industrial Stormwater GP	CTGSI0000	9/30/18	1516 Registrations 241 NEC
Small (Phase II) Municipal Separate Storm Sewer System GP	CTR030000	06/30/2017	113 Registrations
Groundwater Remediation GP	CTGRS0000	3/29/17	104 Registrations
Hydrostatic Test GP	CTGHT0000	3/29/17	37 Registrations
Pesticide GP	CTGPEST00	5/8/17	9 Registrations
Non Contact Cooling Water GP	CTGCW0000	3/29/17	24 Registrations
Water Treatment Wastewater+ GP	CTGWT0000	3/29/17	60 Registrations
Individual NPDES Permits - Industrial Wastewater Majors			25
Individual NPDES Permits - Industrial Wastewater Minors			38
Individual NPDES POTW's Majors			66
Individual NPDES POTW's Minors			16
Individual NPDES Privately Owned Treatment Works			10

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

A. NPDES Permitting

It is the intention of the CT DEEP to continue using the US EPA's NetDMR tool for reporting DMR information and to use the US EPA's NeT reporting tools for any other requirements cited in the phase II portion of the electronic reporting rule as those tools are developed.

a. Electronic Permitting:

CT DEEP currently uses the ezFile portal that allows regulated entities to electronically submit electronic permit registration applications for the following Master General Permits:

- Construction Stormwater GP;
- Industrial Stormwater GP, including No Exposure Certifications;

b. Application and Permitting:

CT DEEP utilizes SIMS for tracking application workflow and permit events, permit fees, geographic site locations, and enforcement actions.

c. State and EPA Permitting Data Exchanges:

CT DEEP currently enters permitting data including DMR's, permit events, and enforcement actions directly into ICIS.

The DEEP is investigating the use of an electronic data exchange node that will electronically transfer information between SIMS and ICIS. The first step would be a batch upload of facility and permit event tracking data elements for the Construction and Industrial Stormwater master General Permits. This data exchange is expected to be completed by 2018, when the Construction and Industrial Stormwater master general permits are anticipated to be reissued. The goal is to have transfer of information completed by 2018, which would also enable the flow of reporting elements for the Industrial sectors for the Industrial Stormwater master general permit to facilitate the submission of electronic DMR's for stormwater sampling using NetDMR.

B. Compliance Monitoring and Enforcement

CT DEEP utilizes ICIS for the purpose of tracking compliance, inspections, and enforcement actions. Enforcement actions are also entered into SIMS.

C. Electronic Discharge Monitoring Reports:

CT DEEP has been using NetDMR since 2010 to allow regulated entities to submit discharge monitoring report (DMR) information electronically. Since 2010, individual NPDES permits contain language that requires the submission of DMR's via NetDMR unless a waiver request is granted. No waiver requests have been submitted to date.

D. Electronic Annual/Periodic Reports:

Presently CT DEEP receives annual and periodic reports through both paper and electronic submittal. These include:

- Combined Sewer Overflow (CSO) Reports , received electronically and stored as PDF documents in Filenet (a document management warehouse)
- MS4 Annual reports – submitted on paper and tracked in SIMS

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

A. Electronic Discharge Monitoring Reports – directly entered into ICIS by DEEP staff or permittee

B. General Permit Reports (Registrations and No Exposure Certifications):

Implementation Task	Target Completion Date	Status
Create ezfile portal for electronic filing of Industrial and Construction stormwater General Permit Registrations	Completed	Completed
Develop exchange node to flow stormwater general permit information from SIMS to ICIS. CT DEEP IT staff to complete.	09/30/2018	pending
Develop exchange node to electronically flow data elements from SIMS to ICIS for non-stormwater registrations (non-contact cooling water, groundwater remediation, water treatment wastewater, etc.) which are submitted to DEEP on paper and then entered into SIMS.	9/30/2018	pending

C. Annual Program Reports

Implementation Task	Target Completion Date	Status
Biosolid/Sewage Sludge Annual Report	N/A	Administered by EPA Region 1
CWA Section 316(b) Annual Program Report	Pending development of EPA reporting tools in NeT or NetDMR	Pending
MS4 Annual Municipal Reports		
Pretreatment Program Annual Report (Generated by ICIS – Being developed with EPA Region 1)		

D. Combined Sewer Overflow Reports

These reports are now received by the CT DEEP via an on-line reporting tool and stored as PDF documents in Filenet. The future goal is to flow them electronically to EPA via NeT.

Implementation Task	Target Completion Date	Status
Flow CSO Event Report to EPA using NeT	Pending development of EPA reporting tools in NeT	Pending

5. CROMERR Compliance Status for Agency Electronic Reporting Systems

- A.** US EPA NetDMR
CROMERR Approval Date: December 2009
- B.** US EPA National Electronic Tool (NeT)
CROMERR Approval Date: N/A

6.State Statutes, State Administrative Rules, and NPDES Permits Revisions

Implementation Task	Target Completion Date	Status
Revise state statutes and/or state rules	Not needed	Not Needed
Revise the individual permit templates to include mandatory NetDMR language	Completed	Completed 2010
Revise master general permits to include mandatory NetDMR language	As each master general permit is renewed (See Section 1 for expiration dates)	In Progress

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

Temporary waivers, when approved, apply to DMR reports required to be submitted by the permittee via NetDMR as a permit condition. All NPDES permits, when reissued, contain the following language:

“If the Permittee is able to demonstrate a reasonable basis, such as technical or administrative infeasibility, that precludes the use of NetDMR for electronically submitting DMRs and reports, the commissioner may approve the submission of DMRs and other required reports

in hard copy form (“opt-out request”). Opt-out requests must be submitted in writing to the Department for written approval with a registrant’s registration. This demonstration shall be valid for twelve (12) months from the date of the Department’s approval and shall thereupon expire. At such time, DMRs and reports shall be submitted electronically to the Department using NetDMR unless the Registrant submits a renewed opt-out request and such request is approved by the Department.”

Connecticut has no provision for a permanent waiver over the life of the permit. Temporary waivers will be considered on a case by case basis.

8. Outreach and Training

The CT DEEP has distributed information regarding the NPDES Electronic Reporting Rule to regulated entities, professional and business associations, and permittees through electronic newsletters, outreach events, workshops, and meetings throughout the state. This has included presentations to such groups as the Connecticut Business and Industry Association as well as professional organizations for sewage treatment plant operators and laboratory chemists. In addition, the DEEP website has been updated to provide guidance on NetDMR and electronic reporting.

Since June of 2016, DEEP staff has targeted those permittees not yet reporting in NetDMR and contacted them repeatedly by e-mail and by phone as a reminder of the e reporting rule deadline of December 2016. DEEP DMR Unit staff has provided one on one assistance by phone to those permittees needing help during the account creation process.

This outreach and assistance will continue throughout the implementation of Phase 2 of the electronic reporting rule. Specifically, the CT DEEP will continue to distribute information to regulated entities regarding upcoming electronic reporting deadlines via electronic newsletters, the DEEP web site, and outreach events as they are conducted.

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”.)

The Connecticut DEEP plans to either directly enter data into ICIS, use the exchange node, or transfer reports and data via NeT. While the flow of information for reports such as 316b, and MS4 annual program reports via ICIS or NeT is being developed, reports will be submitted to EPA by e-mail or on paper.

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

- CT DEEP is still completing the final development of a portal for the electronic submission of Stormwater registrations. The goal for the new system is to mandate the electronic submission of registrations, final usage rates may not be 100%.
- Development of exchange node capability to transfer stormwater general permit information may encounter delays in implementation.

- Development of ICIS-generated Pretreatment Annual Reports will depend on assistance from EPA.
- Uncertainty in state funding for IT infrastructure development and maintenance may lead to unforeseen delays.

Critical Technology Upgrades and Modernization

State funding for IT infrastructure and staff is uncertain.

Funding:

CTDEEP has received limited funding for the upgrades to the exchange node dataflow for the Industrial and Construction General Permit facility information between SIMS and ICIS to enable use of NetDMR.

11. Implementation Plan Reassessment

In this section, identify the circumstances when the agency will contact EPA regarding a possible reassessment of this Implementation Plan.

- Technical difficulties that may arise regarding flowing data to ICIS via an exchange node or NeT.
- Delays in the reissuance of Master General Permits due to a contested hearing process which may impact any schedules for transmittal of registration or DMR data.

If one or more of the conditions mentioned above is not meeting or projected not to meet compliance with the CT DEEP/NPDES Electronic Reporting Phase II Implementation Plan, the agency will (pro)actively engage with EPA Region to work toward complying with the Electronic Reporting Rule.