

# NPDES Electronic Reporting Rule Phase 2 Implementation Plan

## Nevada Division of Environmental Protection 12/20/2016

### 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.*

Nevada currently has a State hosted copy of NetDMR used for all DMR reporting. For other permits, compliance and enforcement data for individual NPDES permits, the e-Permitting system is used and flows data to EPA's data system. A similar system is used for our general permits. The general permits system does not currently include enforcement data.

Nevada will be the primary recipient for all delegated data.

Andrew Dixon will be the primary Nevada contact for this IP.

### 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:*  
14, including 3 large MS4s
- B. *Number of Active and Administratively Continued Minor Individual NPDES Permits:*  
80
- C. *Number of Active and Administratively Continued MS4 Permits:*  
3 major MS4 permits and 1 master general permit for small MS4's with 5 authorizations
- D. *List of Agency General NPDES Permits with number of authorizations for each:*  
7 total master general permits  
Small MS4: 5 authorizations  
Mining Stormwater: 57 authorizations  
Multisector (Industrial) Stormwater: 717 authorizations  
Construction Stormwater: 1750 authorizations  
Pesticide: 16 authorizations  
DeMinimus: 82 authorizations  
Tracer Dye: 1 authorization

**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.*

Nevada currently has a State hosted copy of NetDMR used for all DMR reporting. For other permits, compliance and enforcement data for individual NPDES permits, the e-Permitting system is used and flows data to EPA’s data system. A similar system is used for our general permits. The general permits system does not currently have enforcement data.

Nevada is currently planning to use Windsor Solutions n-Form tool to comply with Phase II of the e-Reporting Rule.

**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.*

| NPDES Data Group | Milestones | Target Date |
|------------------|------------|-------------|
|                  |            |             |

**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: State to be primary recipient, with Windsor Solutions as the contactor to work on data flow and form building in the n-Form tool. Data will be stored at the State and checked before starting the data flow to ICIS.

Task Completion Timeline: December 2020.

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

Agency/Contractor/EPA Roles and Responsibilities: State to be primary recipient, with Windsor Solutions as the contactor to work on data flow and form building in the n-Form tool. Data will be stored at the State and checked before starting the data flow to ICIS.

Task Completion Timeline: December 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: State to be primary recipient, with Windsor Solutions as the contactor to work on data flow and form building in the n-Form tool. Data will be stored at the State and checked before starting the data flow to ICIS.

Task Completion Timeline: December 2020.

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

Agency/Contractor/EPA Roles and Responsibilities: Nevada is not delegated for pretreatment.  
Task Completion Timeline:

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: Nevada is not delegated for pretreatment.  
Task Completion Timeline:

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: State to be primary recipient, with Windsor Solutions as the contactor to work on data flow and form building in the n-Form tool. Data will be stored at the State and checked before starting the data flow to ICIS.

Task Completion Timeline: December 2020.

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

Agency/Contractor/EPA Roles and Responsibilities: State to be primary recipient, with Windsor Solutions as the contactor to work on data flow and form building in the n-Form tool. Data will be stored at the State and checked before starting the data flow to ICIS.

Task Completion Timeline: December 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: Nevada is not delegated for biosolids.  
Task Completion Timeline:

**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: Still need approval, if we go through with n-Form

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

CROMERR Approval Date: Still need approval, if we go through with n-Form

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

CROMERR Approval Date: Still need approval, if we go through with n-Form

D. Pretreatment Program Reports

CROMERR Approval Date: Not delegated

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

CROMERR Approval Date: Not delegated

F. Sewer Overflow/Bypass Event Reports

CROMERR Approval Date: Still need approval, if we go through with n-Form

G. CWA section 316(b) Annual Reports

CROMERR Approval Date: Still need approval, if we go through with n-Form

H. Sewage Sludge/Biosolids Annual Program Reports

CROMERR Approval Date: Not delegated

Windsor Solutions has indicated that the n-Form tool is already CROMERR compliant in some states. The anticipated time to achieve CROMERR compliance is thus expected to be reduced.

**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.*

Currently, language is being included in all permits when they are reissued. Nevada has the authority to require e-Reporting under existing statutes. Updating State statutes or regulations will not be necessary.

**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.*

Nevada does not plan to offer waivers for e-Reporting.

**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.*

State has been conducting NetDMR outreach for the past 3 years. In 2016, the State hired a contractor to do the final outreach and trainings to get all of the NPDES permittees in compliance with the Rule. The contractor is still training and helping with questions the permittees may have. In the future, we will continue to do outreach and trainings, as needed for NetDMR, most likely done by the State and not a contractor. State will be doing future outreach on the n-Form tool when that tool is available and the forms have been created for the different data groups.

The State sent out letters notifying all individual NPDES permittees about the e-Reporting Rule for Phase I and anticipates doing a similar letter for Phase II notification once we have our tools in place.

## **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 alternative plan is to use EPA’s NeT for the Phase II implementation of the e-Reporting 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*

Nevada does not foresee obstacles to implementation of the Rule.

## **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.*

Nevada will reassess in 6-9 months to see if our decision to use a commercial product is still the best course of action. We are still determining costs, time and other factors that could cause our plan to change as we get more information on EPA’s tools and the n-Form tool. Nevada has had monthly calls with Region 9 about the status of compliance on Phase I and would appreciate input as EPA makes updates/changes to any of their tools that could affect us.