



CFR § 127.23. The minimum set of NPDES data that states must share is listed in Appendix A, 40 CFR part 127. These electronic data transfers to EPA must be timely, accurate, complete, and consistent with EPA's data sharing protocols, which are provided on the Environmental Information Exchange Network.<sup>2</sup> The NPDES eRule includes two compliance deadlines. The Phase 1 compliance deadline (December 21, 2016) requires EPA Regions and authorized states to electronically collect Discharge Monitoring Reports (DMRs) from NPDES permittees and to share these DMR data as well as other permit, inspection, and enforcement data with EPA. All other NPDES data (a.k.a. "Phase 2 data") are covered by the Phase 2 compliance deadline (December 21, 2025).<sup>3</sup>

The NPDES eRule allows an authorized state NPDES program to submit a request to EPA to establish an alternative compliance deadline for electronic reporting of one or more general permits, program reports, and related data elements (see 40 CFR § 127.24). A state may request to establish an alternative compliance deadline of up to three years beyond the currently applicable date but not beyond December 21, 2028 (see 40 CFR § 127.24(e)). It is the duty of the authorized state NPDES program to apply for a new alternative compliance deadline, which California State Water Resources Control Board did on August 22, 2025.

We are providing California State Water Resources Control Board with additional time to implement electronic reporting and data sharing with EPA. This additional time allows you to allocate your resources in a manner that will help ease your implementation. This alternative compliance deadline balances your need for more time to implement Phase 2 against the goals of the NPDES eRule (see 40 CFR § 127.1). We recommend that you start taking measures now to ensure that you can meet this new deadline. My staff are available to help you update your data sharing protocols.

Finally, I want to thank your staff for being leaders with NPDES electronic reporting. This complex project involves almost all of the NPDES program and approximately 420,000 permittees across the Nation. EPA could not implement this rulemaking without the dedication and professionalism of states like California.

Thank you for your help in implementing NPDES electronic reporting. If you have questions with this memorandum or with NPDES eRule implementation, please contact the NPDES eRule Team Lead, Carey Johnston, [johnston.carey@epa.gov](mailto:johnston.carey@epa.gov).

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<sup>2</sup> See: <https://exchangennetwork.net/data-exchange/icis-data-submission/>

<sup>3</sup> See "Overview of the Minimum Set of NPDES Program Data" and "NPDES eRule State Data Sharing Prioritization" to identify the compliance deadline for each data element. Available at: <https://www.epa.gov/compliance/npdes-ereporting-information-and-resources-authorized-programs>.