

# Frequently Asked Questions on National Pollutant Discharge Elimination System (NPDES) Electronic Reporting

## What is NPDES reporting?

The Clean Water Act establishes the NPDES permit program for the control of the discharge of pollutants into the nation's waters. The NPDES program requires that permitted facilities and certain other regulated entities monitor and report data on pollutant discharges and take other actions to ensure discharges do not affect human health or the environment. Currently, some regulated entities subject to NPDES reporting requirements submit data in paper form to states and other regulatory authorities, where the information must be manually entered into data systems.

## What is changing with NPDES reporting?

The U.S. Environmental Protection Agency (EPA) recently published the NPDES Electronic Reporting Rule. The rule requires regulated entities to report information electronically, instead of filing written paper reports. The rule does not change what information is required. It only changes the method by which information is provided (i.e., electronic rather than paper-based). The rule also requires states and other regulatory authorities to share data electronically with EPA. The data that these regulatory authorities will share with EPA includes the data they receive from regulated entities, along with the compliance monitoring (e.g., inspection), violation determination, and enforcement action data they generate themselves.

## Why is EPA requiring electronic reporting?

EPA anticipates electronic reporting will save time and resources for regulated entities, states, tribes, territories, and the U.S. Government by eliminating paper reports. EPA also expects electronic reporting to increase data accuracy, improve compliance, and support the goal of providing better protection of the nation's waters. Electronic reporting will help provide greater clarity on who is and who is not in compliance and enhance transparency by providing a timelier, complete, more accurate, and nationally-consistent set of data about the NPDES program. It will provide EPA and states the ability to strategically address the most serious water pollution problems while using limited resources efficiently.

## When does electronic reporting begin and what information will be submitted electronically?

The first phase of electronic reporting begins on December 21, 2016, when regulated entities that currently submit Discharge Monitoring Reports (DMRs) will begin submitting these reports electronically, instead of on paper. At the same time, regulated entities that submit Biosolids/Sewage Sludge Annual Program Reports to EPA (but not to state governments) will begin submitting these reports electronically. Also at the same time, states and other regulatory authorities will begin sharing their compliance monitoring (e.g., inspection), violation determination, and enforcement action data electronically.

The second phase of electronic reporting begins on December 21, 2020, when regulated entities that currently submit certain other NPDES reports will begin submitting these reports electronically, instead of on paper. Reports covered in the second phase include Notices of Intent to discharge in compliance with an NPDES general permit, Biosolids/Sewage Sludge Annual Program Reports submitted to state governments, and a number of other NPDES program reports.

### **Who must report electronically?**

Electronic reporting potentially affects all NPDES-regulated entities that are required to submit the reports discussed above. These entities include all NPDES-permitted facilities, whether covered by an individual permit or general permit, industrial users located in cities without approved local pretreatment programs, and governmental entities that have received NPDES program authorization or are implementing portions of the NPDES program in a cooperative agreement with EPA. Importantly, the rule does not change who is required to submit NPDES information. It only changes the method by which information is provided (i.e., electronic rather than paper-based). Also, the rule includes flexibility to grant temporary or emergency waivers from electronic reporting. To obtain an electronic reporting waiver, a regulated entity must first submit an electronic reporting waiver request to the appropriate regulatory authority.

### **How will electronic reporting be accomplished?**

Regulated entities and state and federal regulators will use existing, available information technology to submit, share, and manage the required data. EPA is working with states, tribes, territories, and third-party software vendors to develop and have in place all of the necessary electronic reporting tools. Recognizing that many states, tribes, and territories have their own electronic data systems and reporting tools for managing NPDES data, the electronic reporting rule provides flexibility on the specific data systems and reporting tools to be used.

EPA has developed electronic reporting tools for NPDES data and is making them available to states. EPA's tools are web-based and require only a computer, an Internet browser (e.g., Microsoft Internet Explorer), and high-speed access to the Internet (i.e., DSL, fiber optic). These tools communicate securely, requiring passwords and known responses to security questions. They are designed to provide your electronic submittals with the same level of legal dependability as paper submittals. States have the option of using EPA's tools directly, installing and hosting their own version of EPA's tools, or developing their own tools.

### **I have a NPDES permit or currently submit NPDES reports. Where can I find more information?**

For more information specific to NPDES regulated entities, see <http://dec.alaska.gov/water/Compliance/documents/eRule-Sector-Brochure-for-Authorized-Program.pdf>.

### **Where can I find more information in general?**

For general information on EPA's NPDES Electronic Reporting Rule, visit <http://www2.epa.gov/compliance/final-national-pollutant-discharge-elimination-system-npdes-electronic-reporting-rule>.