



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY**  
WASHINGTON, D.C. 20460

**MAY 11 2011**

Dear State Water Pollution Control Administrators, State Commissioners and EPA Regional Administrators:

EPA's Office of Enforcement and Compliance Assurance (OECA) and the Office of Water (OW) are pleased to provide you with the final set of new approaches we are implementing under the Clean Water Act Action Plan to usher in a 21<sup>st</sup> century National Pollutant Discharge Elimination System (NPDES) program for cleaner water. We have all witnessed the significant progress that the United States has made in the last three decades in protecting our environment from water pollution. But we know that the challenges we still face in doing this work are real, growing, and require our ingenuity, adaptability and collaboration to solve. We believe that the suite of actions described in the enclosed "CWA Action Plan Implementation Priorities" will lead the way in these efforts.

First, we extend our thanks and appreciation to you and your staff for the hard work and dedication over the last year in collaborating with our offices to discuss and evaluate the critical challenges facing our programs and the practical steps we can all take to address them. States, EPA Regions, OW and OECA worked together on the CWA Action Plan Steering Committee and six teams to analyze and identify potential solutions to the water quality problems involving sources regulated under the CWA's NPDES program. Together, we were able to develop a suite of actions to chart our best course of action over the next several years to strengthen our ability to provide the American public with cleaner water. This demonstration of teamwork and commitment to a common cause is reason for believing that our nation's waters can be protected from pollution and provide our communities with a resource to value and enjoy well into the future.

The enclosed document, "CWA Action Plan Implementation Priorities," summarizes the four key changes that will modernize and revamp the NPDES program and describes the new features of the retooled system, including the specific actions, tools, policies and regulations that EPA believes are most important for implementing the new system starting in FY2011. The four critical changes are:

1. Switch existing paper reporting to electronic reporting with automated compliance evaluations and improved transparency.
2. Create a new paradigm in which our regulations and permits compel compliance via public accountability, self-monitoring, electronic reporting and other methods.
3. Address the most serious water pollution problems by fundamentally re-tooling key NPDES permitting and enforcement practices, while continuing to vigorously enforce against serious violators.
4. Conduct comprehensive and coordinated permitting, compliance and enforcement programs to improve state and EPA performance in improving water quality.

Our efforts as co-regulators in driving better CWA compliance and reducing pollution through the enhanced power of public accountability is one of the principal components of our work under this Plan. Promulgating the NPDES Electronic Reporting Rule is a fundamental deliverable in FY11 and FY12. Many of the new approaches in the Action Plan will rely on the foundation set by the NPDES Electronic Reporting rule and will require EPA and states to launch fundamental overhauls to some of the tools, policies, and regulations by which we implement the NPDES permitting and enforcement program. Some of these changes can begin now and will require close collaboration to deliver: thus, EPA and states will be at work for several years to realize the vision and complete these changes.

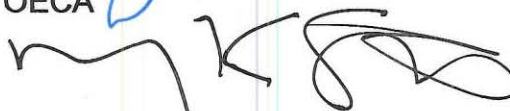
We will continue to seek state input and assistance through the EPA State CWA Action Plan Steering Committee. We hope the four existing state members of the Steering Committee will continue to work with us, and we would like to expand the state membership to include two additional states. We are working with ASIWPCA and ECOS to fill these positions. We look forward to our continued work together in these areas to deliver clean water to our citizens.

Sincerely,



Cynthia Giles, Assistant Administrator

OECA



Nancy Stoner, Acting Assistant Administrator

OW

Enclosure: CWA Action Plan Implementation Priorities and One Pager

CC: with enclosures

EPA State Steering Committee Members  
ASIWPCA Executive Director and Deputy Director  
ECOS Executive Director  
OW Office and Deputy Office Directors  
EPA Regional Water Division Directors  
EPA Enforcement Division Directors  
Regional Water Enforcement Branch Chiefs