

NPDES Electronic Reporting Rule Phase 2 Implementation Plan

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY December 21, 2016

I. Overview/Executive Summary

To ensure timely implementation of the NPDES Electronic Reporting Rule, Illinois EPA has elected to use both of USEPA's electronic reporting tools, NETDMR and NeT. Currently, Illinois EPA is concluding the Phase 1 implementation of the Rule and has over 96% of Illinois NPDES permits reporting monthly Discharge Monitoring Data electronically utilizing NETDMR. The Phase II draft Implementation Plan that follows will outline how Illinois EPA, through a multiphase approach, will successfully implement Phase 2 of this Rule by December 21, 2020.

Illinois' Draft Phase 2 Implementation Plan divides the Phase 2 Data Groups into three main categories; General Permits Reports, Program Reports and Misc. Reports. Each of these categories will go through the following five phase development/implementation process;

- **Phase One — Business Analysis**, and determination of project scope specifics. Many of these programs have existed independently with their data isolated. The Agency will need to identify all data elements involved and determine if it is feasible to consolidate existing databases to single back-end database.
- **Phase Two — Development**
 1. IEPA Web Application Development (.Net) and IEPA Net Service Interface Development
 2. Illinois' integration with NeT and the development of custom reports for IEPA General Permits
- **Phase Three — Testing**. Once the development has been completed, project staff will complete final testing to reduce the occurrence of any major issues once moved into production.
- **Phase Four — Implementation**.
- **Phase Five — Outreach/Training**. During this phase an outreach and training agenda will be formulated and followed to ensure smooth and widespread adoption.

This approach will allow the Agency to achieve the goal of timely meeting the reporting requirements set forth in the NPDES Electronic Reporting Rule and building a system that will allow the data to be bifurcated upon submission to populate Illinois EPA production permit systems (Athena) as well. The Illinois EPA is working collaboratively with the USEPA Headquarters - IT Tool Development

Team and will mirror its implementation/conformance to the rule by following the same development schedule laid out in US EPA's NET tool schedule guidance.

Below are the executive sponsors and the project coordinators of this plan;

1. Head of Agency:

Alec Messina
Director, Illinois EPA
1021 N. Grand Ave East, Springfield, IL 62702
Ph: (217) 782-9540
Email: Alec.Messina@illinois.gov

2. Chief, Bureau of Water:

Sanjay Sofat
Chief, Bureau of Water, Illinois EPA
1021 N. Grand Ave East, Springfield, IL 62702
Ph: (217) 785-2435
Email: Sanjay.Sofat@illinois.gov

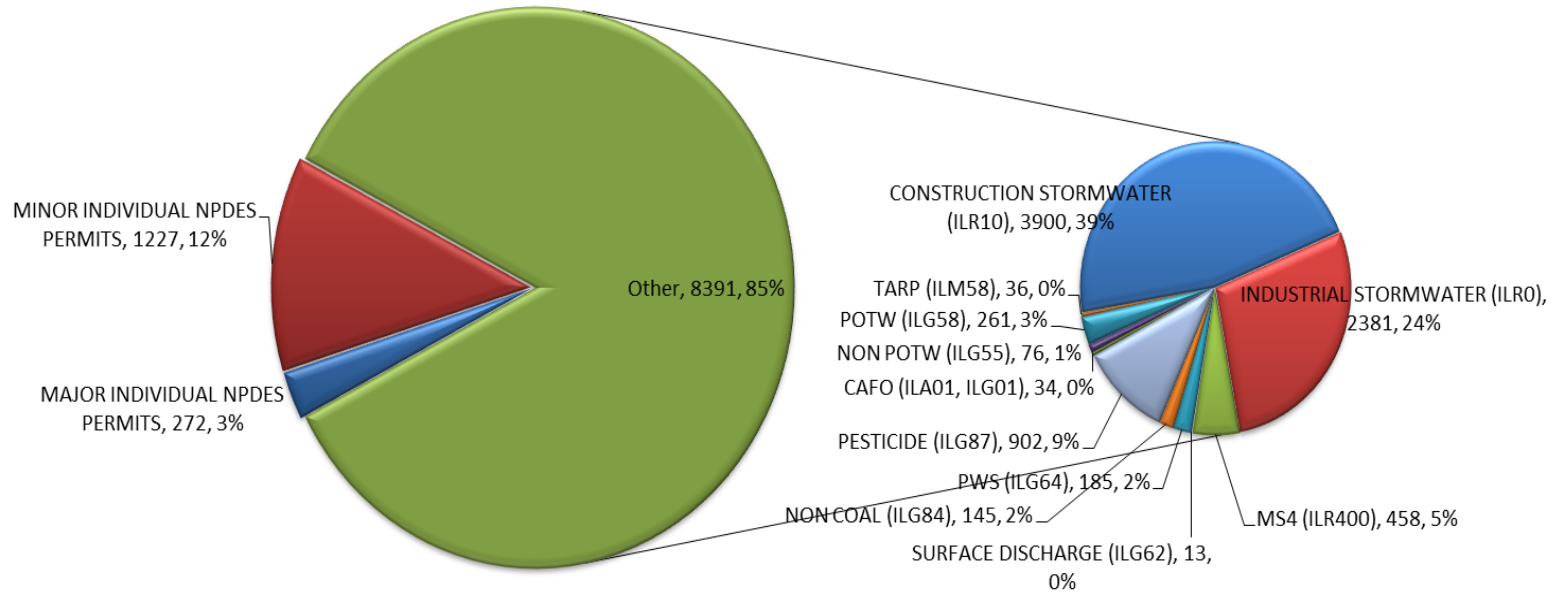
3. Project Coordinator:

Cathy Siders
Environmental Protection Specialist IV
1021 N. Grand Ave East, Springfield, IL 62702
Ph: (217) 524-6308
Email: Catherine.Siders@illinois.gov

4. Project Coordinator:

Steve Nance
IT Manager – Illinois EPA
Department of Innovation & Technology
1021 N. Grand Ave East, Springfield, IL 62702
Ph: (217) 558-0098
Email: Steve.Nance@illinois.gov

II. Illinois Environmental Protection Agency - NPDES Universe (December 2016)



PERMIT TYPE	NUMBER OF PERMITS	NUMBER OF PERMITS IN ICIS	DMR'S REQUIRED
MAJOR INDIVIDUAL NPDES PERMITS	272	272	Y
MINOR INDIVIDUAL NPDES PERMITS	1227	1227	Y
GENERAL NPDES PERMITS	8391	6135	
CAFO (ILA01, ILG01)	34	34	N
NON POTW (ILG55)	76	76	Y
POTW (ILG58)	261	261	Y
TARP (ILM58)	36	36	Y
STORMWATER DISCHARGES FROM CONSTRUCTION SITE ACTIVITY (ILR10)	3900	1644	N
STORM WATER DISCHARGES FROM INDUSTRIAL SITE ACTIVITY (ILR00)	2381	2381	N
MS4 (ILR40)	458	458	N
SURFACE DISCHARGE (ILG62)	13	13	Y
PWS (ILG64)	185	185	Y
NON COAL (ILG84)	145	145	Y
PESTICIDE (ILG87)	902	902	N

III. Current and/or Planned NPDES Data Systems and E-Reporting Tools

A. NetDMR- Phase 1 (Current)

1. Status:

Currently, 96% of Illinois' NPDES permits that are required to submit monthly DMRs are reporting their DMR data electronically with NETDMR. Illinois has notified the remaining 4% regarding the need to transition to NETDMR or submit an application and obtain approval for a temporary waiver from electronic reporting. NETDMR assistance will continue to be provided for the transition of the remaining NPDES Permits.

B. NeT - Phase 2 (Planned)

1. Status:

The Illinois EPA is currently undergoing business analysis with the end goal to deliver online NPDES permit application submittal to the citizens of Illinois. In whole, this business analysis being conducted will identify both internal and external processes responsible for handling the flow of information from the applicant to the destination Illinois EPA production system responsible for NPDES permit information storage. In addition, the Illinois EPA is conducting business analysis involving identifying and delivering mechanisms for the electronic reporting of required information to the US EPA.

It is the intent of the Illinois EPA to utilize service end points being developed as part of US EPA's NET tool initiative. These services will be used in future Illinois EPA development to provide required data to US EPA and meet the requirements of US EPA's electronic reporting rule. As such, the Illinois EPA will mirror its implementation and conformance to the rule by following the development schedule laid out in US EPA's NET tool schedule guidance.

From a technical architecture standpoint, as citizens apply for coverage under a general permit, the data of the submission will be bifurcated. One route will be to populate Illinois EPA production permit systems (Athena). The second route will be to provide the same data to the service end points being developed as part of USEPA's NET tool initiative. In this way Illinois EPA will comply with US EPA's electronic reporting rule.

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

A. Phase 2 - Multiphase Implementation Project Plan

<i>NPDES DATA GROUP</i>	<i>MILESTONES</i>	<i>RESPONSIBLE PROJECT PARTICIPANT</i>	<i>TARGET DATE</i>
GENERAL PERMITS REPORTS - (NOIs, NOTs, NOEs, and LEWs)			
CAFO (ILA01, ILG01)	<ol style="list-style-type: none"> 1. Business Analysis 2. Development <ol style="list-style-type: none"> a. IEPA Web Application Development (.Net) b. IEPA Net Service Interface Development 3. Testing <ol style="list-style-type: none"> a. External Beta Testing Group for eNOI 4. Implementation 5. Outreach/Training 	<i>IEPA IT and/or Contractor</i>	<i>TBA</i>
TARP (ILM58)			
NON POTW (ILG55)			
NON COAL (ILG84)			
PWS (ILG64)			
POTW (ILG58)		<i>Permit Section</i>	
MS4 (ILR40)			
PESTICIDE (ILG87)			
SW DISCHARGES FROM INDUSTRIAL SITE ACTIVITY (ILR00)			
SW DISCHARGES FROM CONSTRUCTION SITE ACTIVITY (ILR10)			
PROGRAM REPORTS -			
Concentrated Animal Feeding Operation (CAFO) Annual Program Reports	<ol style="list-style-type: none"> 1. Business Analysis 2. Development <ol style="list-style-type: none"> a. IEPA Web Application Development (.Net) b. IEPA Net Service Interface Development 3. Testing 4. Implementation 5. Outreach/Training 	<i>IEPA IT and/or Contractor</i>	<i>As NeT Becomes Available</i>
Municipal Separate Storm Sewer System (MS4)			
Pretreatment Performance Summary Annual Program Reports		<i>Compliance Assurance Section</i>	
Sewer Overflow/Bypass Event Program Reports			
MISC. REPORTS -			
Significant Industrial User Compliance Reports in Municipalities Without Approved Pretreatment Programs	<ol style="list-style-type: none"> 1. Business Analysis 2. Development <ol style="list-style-type: none"> a. IEPA Web Application Development (.Net) b. IEPA Net Service Interface Development 3. Testing 4. Implementation 5. Outreach/Training 	<i>IEPA IT and/or Contractor</i>	<i>As NeT Becomes Available</i>
CWA section 316(b) Annual Reports			
Other Misc. Permit Reports			

B. Roles and Responsibilities of Key Project Participants:**1. Alan Keller, Manager, Permit Section**

Alan is responsible for issuance of all general and individual NPDES permits and will provide regular overview and input of information needed for eNOIs and necessary reporting. Alan has worked for the Agency's Division of Water Pollution Control Permit Section for 43 years, 12 as Section Manager, and has been involved with review of all permit type activities. Alan will provide additional technical staff in all phases of the project.

2. Dan Heacock, Manager, Facility Evaluation Unit, Permit Section

Dan is responsible for issuance of all general and individual NPDES permits for CAFOs and Sand and Gravel Permits and will provide regular overview and input of information needed for eNOIs and necessary reporting. Dan has worked for the Agency's Division of Water Permit Section for 30 years, 16 as Unit Manager. Dan will provide additional technical staff in all phases of the project.

3. Cathy Siders, Environmental Protection Specialist 4, Programmatic Lead, Compliance Assurance Section

Cathy is the subject matter expert (SME) for Annual Program Reports, and Sewer Overflow/Bypass Event Reports content who will provide regular input, and testing support for all phases of project. Cathy will provide SME input and assist with the development of an outreach plan to facilitate members of the regulated community migrating to the new eReporting platform.

4. Cathy Demeroukas, Methods and Procedures Career Associate II Programmatic Lead, Permit Section

Cathy is the subject matter expert (SME) for eNOI content who will provide regular input, and testing support for all phases of testing. Cathy will provide SME input for Industrial, Construction, and MS4 eNOI data, NOT and reporting.

5. Rich Fetter, Division of Information Services (DIS) Chief Information Officer (CIO)

Rich will provide IT support and insight as well as provide technical staff to assist in all phases of the project.

V. CROMERR Compliance Status for Agency Electronic Reporting Systems

Illinois EPA has elected to use the USEPA's electronic reporting tools.

A. National Network Discharge Monitoring Report System (National NetDMR)**1. USEPA's Report System for DMR Data Electronic Submission****2. Illinois received CROMERR Approval on 12/9/2015**

B. NeT**1. USEPA's Report System for Electronic Submission of:**

- a) *General Permit Reports*
- b) *Concentrated Animal Feeding Operation (CAFO) Annual Program Reports*
- c) *Municipal Separate Storm Sewer System (MS4) Program Reports*
- d) *Pretreatment Program Reports*
- e) *Significant Industrial User Compliance Reports in Municipalities without approved Pretreatment Programs*
- f) *Sewer Overflow/Bypass Event Reports*
- g) *CWA section 316(b) Annual Reports*
- h) *Sewage Sludge/Biosolids Annual Program Reports*

2. Illinois will complete and submit all necessary CROMERR Compliance Application(s) and obtain approval through USEPA's expedited approval process.

VI. State Statutes, State Regulation/Administrative Rule, and NPDES Permit Update Estimated Completion Dates

A. The Illinois Environmental Protection Act was updated in 2013 to allow the Agency to adopt rules requiring electronic submissions. At this time after reviewing our Act and regulations it has been determined that updated regulations are not necessary. NPDES permits that are currently being renewed, modified or new permits issued by the Agency will now have a Special Condition requiring electronic reporting as of December 21, 2016. It is the Agency's belief that all NPDES permits issued by the Agency will have this special condition in place by December 2020.

VII. Temporary and Permanent Waiver Approval Process

Note: Electronic reporting waivers are waivers from electronic reporting only. An NPDES-regulated permittee receiving an electronic reporting waiver must provide the required discharge monitoring reports and other required permit reports on paper forms. Failure to report the required DMR data and various reports are significant/reportable violations of the NPDES permit for which a formal or informal enforcement action may be taken.

IEPA's waiver approval process will be reviewed and updated every five years as required.

A. IEPA Temporary Waiver for Electronic Reporting

1. Criteria for granting a temporary waiver from the NPDES electronic reporting requirements:

- a) *Facility is physically located in a geographic area (i.e., zip code or census tract) that is identified as under-served for broadband or high-speed internet access in the most recent National Broadband Map from the Federal Communications Commission (FCC) <http://www.broadbandmap.gov/>; or*
- b) *The Facility demonstrates that such electronic reporting of the monitoring data and reports would pose an unreasonable financial burden or expense to the NPDES-permitted facility.*

2. Approval Process

- a) *An application for a Temporary Waiver from the NPDES electronic reporting requirements must be submitted by the NPDES Permittee with the following information:*
 - (1) Facility name;
 - (2) NPDES permit number (if applicable);
 - (3) Facility address;
 - (4) Name, address and contact information for the owner, operator, or duly authorized facility representative;
 - (5) Brief written statement regarding the basis for claiming such a temporary waiver; and
 - (6) Any other information required by the authorized NPDES program.

- b) *The address submitted on the waiver application will be used to determine access to broadband or high-speed internet.*
- (1) If the permittee does not have broadband or high-speed internet access a waiver will be granted.
- c) *To demonstrate unreasonable financial burden the permittee has been instructed to submit a narrative regarding the current information about the Permittee's financial and socioeconomic situation that is prohibitive with reporting electronically. Include with the narrative the anticipated costs associated with complying with the new NPDES Electronic Reporting Requirements; computer cost, internet provider and monthly fee for internet service.*
- (1) Determination of financial burden will be on a case by case basis and a waiver will be granted accordingly.
- d) *Applications will be reviewed as received. IEPA will notify the Permittee of waiver approval or denial within 30 days of the application received date.*

3. Duration of the Temporary Waiver

- a) *Expiration Date = one (1) year from the approval date*
- b) *The permittee may re-apply for a new waiver if either of the conditions above continues to be met.*
- (1) Re-applications should be submitted to the Illinois EPA no later than sixty (60) days prior to the electronic reporting waiver's expiration.
- c) *Approved Temporary Electronic Reporting Waivers are not transferrable.*

B. IEPA Permanent Waiver for Electronic Reporting:

At present IEPA does not have any permits that would qualify for a Permanent Waiver. In the future should a new permit qualify, the following approval process will be followed.

1. Criteria for granting a Permanent Waiver from the NPDES electronic reporting requirements:

- a) *Only available for facilities and entities owned or operated by members of religious communities that choose not to use certain modern technologies (e.g., computers, electricity).*

2. Approval Process

a) An application for a Permanent Waiver from the NPDES electronic reporting requirements must be submitted by the NPDES Permittee with the following information:

- (1) Facility name;*
- (2) NPDES permit number (if applicable);*
- (3) Facility address;*
- (4) Name, address and contact information for the owner, operator, or duly authorized facility representative;*
- (5) Brief written statement regarding the basis for claiming such a Temporary Waiver; and*
- (6) Any other information required by the authorized NPDES program.*

b) Applications will be reviewed as received. IEPA will notify the Permittee of Waiver approval or denial within 30 days of the application received date.

3. Duration of the Permanent Waiver

a) Permanent Waiver – No expiration date

b) Approved Permanent Electronic Reporting Waivers are not transferrable.

VIII. Outreach and Training

The following outreach and training activities were used historically to successfully implement Phase 1 (NETDMR) and systematically transition Illinois NPDES permits to electronic reporting of their monthly DMR data. The same activities will be used to implement Phase 2 (NeT). We will track and monitor the transition of all Phase 2 electronic reporting requirements and continually assess the effectiveness of our outreach and training activities.

A. Outreach Activities:

1. Notifications on IEPA's Website
2. Mass Mailings to NPDES Permittees
3. Implementation Brochures
4. Presentations to Operator Groups throughout State

B. Training Activities & Guidance Documents:

1. Power Point Presentations
2. Webinars
3. Informational Brochures and training packets
4. FAQ - Posted on Illinois Website
5. Links to USEPA's Training
6. Personalized one on one assistance with registration/log-In and using the electronic reporting tool(s)

IX. Alternative Options

- A. IEPA is utilizing USEPA's electronic reporting tools to implement the NPDES Electronic Reporting Rule. No alternative plans have been made at this time.

X. Obstacles to Rule Implementation

- A. The following are potential obstacles IEPA has identified:
1. Staffing

2. Reorganization of IT staff

3. Financial limitations

B. Plans to minimize obstacles:

1. Shift staff duties/responsibilities

2. Potentially hire contractor/ temporary staff to assist

3. 2016 EN Grant in house

XI. Implementation Plan Reassessment

A. Illinois' Phase 2 Implementation Plan will be reassessed quarterly. Additional Milestones, plan details and target dates will be added as Illinois moves forward. Quarterly updates will be available for USEPA's review.