

# **NPDES Electronic Reporting Rule Phase 2 Implementation Plan**

## **Maryland Department of the Environment December 21, 2016**

### **Implementation Plan Purpose**

On October 22, 2015, EPA published the final National Pollutant Discharge Elimination System (NPDES) Electronic Reporting Rule. This regulation requires the electronic reporting and sharing of Clean Water Act NPDES program information instead of the current paper-based reporting of this information.

The NPDES Electronic Reporting Rule allows states to determine what electronic reporting tools and systems work best for them and whether they would like to be the initial recipient of NPDES compliance monitoring data. EPA does not dictate the electronic reporting tools that a state may use. Rather, EPA sets performance requirements for states that wish to build their own electronic reporting tools. States also have the option of using and, if desired, customizing electronic reporting tools developed and maintained by EPA. A state, tribe, or territory that is designated by EPA as the initial recipient for an NPDES data group must submit an implementation plan to EPA for review to ensure that the authorized NPDES program will meet the Phase 2 electronic reporting deadline. This plan must provide enough details (e.g., tasks, milestones, roles and responsibilities, necessary resources) to clearly describe how the program will successfully implement electronic reporting of Phase 2 data. This plan does not include electronic reporting of Discharge Monitoring Reports (DMRs).

In accordance with the final rule [40 CFR 127.26(h)], authorized NPDES programs must submit an Implementation Plan (IP) to EPA by December 21, 2016, for EPA's review. EPA will inform the authorized NPDES program if the implementation plan has enough detail to ensure successful implementation of electronic reporting for Phase 2 data. Completed IPs can be emailed to EPA using the following email address: [NPDESElectronicReporting@epa.gov](mailto:NPDESElectronicReporting@epa.gov).

### **1. Overview/Executive Summary**

The Maryland Department of the Environment (MDE) is the initial recipient for all its programs. MDE is not the authorized agency for implementing the NPDES biosolids program. Maryland is a direct entry state; therefore all permits are already in ICIS, with the exception of the General Construction Stormwater Discharge Permit, the General Discharge Permit for Animal Feeding Operations, and both Phase II municipal separate storm sewer system permits for small storm drain systems. Maryland has been utilizing NetDMR for Discharge Monitoring Report submissions since 2011.

Maryland currently uses its ePermits system for electronic submission for the General Permit for Stormwater Associated with Construction Activity and data transfer to EPA capabilities is planned for June 30, 2017.

Maryland has been developing an online platform, which will be completed prior to December 21, 2020, for reporting sanitary overflow and bypass events and the subsequent reports.

Maryland plans to use the NeT tool designed and developed by EPA for electronic submissions of NOIs, NOTs, NOEs, pretreatment program reports, significant industrial user compliance reports in municipalities without

approved pretreatment programs, and CWA section 316(b) annual reports. The specific target dates and milestones are to be determined as EPA develops and designs the new system.

Annual reporting for MS4s is currently primarily paper based. Maryland plans to start using, by the end of 2017, a GIS Tracking System that will completely integrate all annual reporting requirements electronically for Phase I MS4. Maryland will then work on data transfer to EPA capabilities. Maryland plans to also use the GIS System for Phase II annual reports.

Maryland currently sends CAFO Annual Implementation Reports (AIR) information to EPA Region 3 in an excel spreadsheet semi-annually. Maryland is currently developing an e-AIR system where registrants can directly enter AIR data into a fillable form which will input the data into the Department's database, accessible to ICIS. The e-AIR initial project should be completed prior to 2020.

The primary contacts for this implementation plan are listed below:

- Water Management Administration: Ginny Kearney - Deputy Director, Water Management Administration - [virginia.kearney@maryland.gov](mailto:virginia.kearney@maryland.gov)
- Land Management Administration: Gary F. Kelman, MS, CEP - Chief, Animal Feeding Operation Division - [gary.kelman@maryland.gov](mailto:gary.kelman@maryland.gov)
- Oil Control Program: Thomas Yoo, Senior Regulatory & Compliance Engineer, Oil Control Program - [thomas.yoo@maryland.gov](mailto:thomas.yoo@maryland.gov)

## 2. Agency NPDES Universe

Maryland is a direct entry state; therefore all permits listed below are in ICIS, with the exception of the General Construction Stormwater Discharge Permit, the General Discharge Permit for Animal Feeding Operations, and both Phase II municipal separate storm sewer system permits for small storm drain systems.

Below is a summary of the numbers of different NPDES permits and electronic reporting percentages within MDE, as of October 24, 2016:

1. Number of Active and Administratively Extended Major Individual NPDES Permits: 80 total
  - a. Industrial Individual Major NPDES Permits: 25
  - b. Municipal Individual Major NPDES Permits: 55

*Percentage with reporting requirements reporting via NetDMR as of 11/20/16: 85%*
2. Number of Active and Administratively Extended Minor Individual NPDES Permits: 364 total
  - a. Industrial Individual Minor NPDES Permits: 135
  - b. Municipal Individual Minor NPDES Permits: 224
  - c. Individual Permits for Stormwater Associated with Construction Activity: 5

*Percentage with reporting requirements reporting via NetDMR as of 11/20/16: 71%*
3. Number of Active and Administratively Extended General NPDES Permits: 6,121 total
  - a. General Discharge Permit For Discharges from the Application of Pesticides: not currently applicable (NOIs are not presently required).
  - b. General Permit for Discharges from Surface Coal Mines and Related Facilities: 40
  - c. General Permit for Discharges from Tanks, Pipes, and Other Containment Structures at Facilities other than Oil Terminals: 284

- d. General Discharge Permit For Discharges from Mineral Quarries, Borrow Pits, and Concrete and Asphalt Plants: 314
- e. General Permit For Discharges Associated with Seafood Processing: 23
- f. General Permit for Discharges from Marinas including Boatyards and Yacht Basins: 192
- g. General Permit For Discharges from Swimming Pools & Spas, including Baptismal Fonts: 628
- h. Oil Control:
  - o General Permit for Discharge of Treated Groundwater from Oil Contaminated Ground Water Sources to Surface or Ground Waters of the State: 49
  - o General Permit for the Discharge of Stormwater and Hydrostatic Test Water from Oil Terminals to Surface or Ground Waters of the State: 54
- i. General Permit For Discharges of Stormwater Associated With Industrial Activity: 1,240 (including 313 No Exposure Exemptions)

*Percentage with reporting requirements reporting via NetDMR as of 11/20/16: 19%*

- j. General Permit for Stormwater Associated with Construction Activity: 3,297 (not in ICIS as of 11/20/16 and have no reporting requirements as DMRs)

*Percentage with reporting requirements reporting via NetDMR: 95%*

- 4. Number of Active and Administratively Continued MS4 Permits: 11 Phase I individual municipal stormwater permits; 2 general permits for small municipal storm drain systems
  - a. Phase I individual MS4s: 10 active; 1 administratively continued
    - i. Active, individual Phase I MS4 permits issued to: Anne Arundel, Baltimore, Carroll, Charles, Frederick, Harford, Howard, and Prince George's Counties; Baltimore City; and the Maryland State Highway Administration.
    - ii. Administratively continued individual Phase I MS4 permits issued to: Montgomery County
    - iii. All Phase I MS4 permits are entered into the ICIS-NPDES database. Audit, program, and annual report evaluations dates are entered annually into the database.
  - b. Phase II general MS4s: 2; 2 administratively continued
    - i. General Permit for Discharges from Small Municipal Separate Storm Sewer Systems: 50 authorizations
    - ii. General Permit for Discharges from State and Federal Small Municipal Separate Storm Sewer Systems: 37 authorizations.
    - iii. No data for either Phase II general permit are entered into the ICIS-NPDES database. Annual reporting is paper based.
    - iv. There will be additional new authorizations under the municipal MS4 general permit, but because of co-permittee relationships with Phase I MS4s, the total number may decrease slightly. The number of authorizations under the State and federal MS4 general permit could as much as triple from the current 37 when the general permit is reissued in 2017. The total increase will depend on whether various agencies seek coverage with NOIs for each property affected, or a single agency NOI for all properties affected.
- 5. Concentrated Animal Feeding Operation (CAFO) Facilities that submit Annual Program Reports: 600
- 6. Pretreatment Program Reports: 20 approved pretreatment programs
- 7. Significant Industrial User Compliance Reports in Municipalities without Approved Pretreatment Programs: MDE currently has 4 permits issued by the Department.

### 3. Current and/or Planned NPDES Data Systems and E-reporting Tools

In this section, the Department summarizes the current or planned NPDES data systems and e-reporting tools.

Maryland is a direct entry state for ICIS data entry. Maryland plans to utilize CDX/NeT for permitting reports.

NetDMR has been utilized in Maryland for Discharge Monitoring Report submissions since 2011, 5 years. Maryland is in the planning and development phase for a web based online SSO/CSO/Bypass reporting tool.

Maryland uses its ePermits system for electronic submission of NOIs, NOTs, etc., for the General Permit for Stormwater Associated with Construction Activity. The ePermits system took effect with the 2015 General Permit.

Maryland currently receives paper NOIs, NOTs, and NOEs and enters the data directly into ICIS. Maryland plans to use the NeT tool designed and developed by EPA for electronic submissions of NOIs, NOTs, NOEs, Annual Reports, etc. for the following:

- General Permit for Discharges from Surface Coal Mines and Related Facilities;
- General Permit for Discharges from Tanks, Pipes, and Other Containment Structures at Facilities other than Oil Terminals;
- General Discharge Permit For Discharges from Mineral Quarries, Borrow Pits, and Concrete and Asphalt Plants;
- General Permit For Discharges Associated with Seafood Processing;
- General Permit for Discharges from Marinas including Boatyards and Yacht Basins;
- General Permit For Discharges from Swimming Pools & Spas, including Baptismal Fonts;
- General Permit For Discharges of Stormwater Associated With Industrial Activity;
- CWA section 316(b) Annual Reports;
- Pretreatment Program Reports;
- Significant Industrial User Compliance Reports in Municipalities Without Approved Pretreatment Programs;
- General Permit for Discharge of Treated Groundwater from Oil Contaminated Ground Water Sources to Surface or Ground Waters of the State; and
- General Permit for the Discharge of Stormwater and Hydrostatic Test Water from Oil Terminals to Surface or Ground Waters of the State

While annual reporting from Phase I MS4s has evolved since initial permits were issued, the process remains primarily paper based. The Sediment, Stormwater, and Dam Safety Program (SSDS) receives annual report narratives and program activity descriptions in both hardcopy and email submissions, and sometimes both depending on the jurisdiction. Access and Excel formatted databases are required to be used for numeric data that are submitted for most all permit components. Databases are used for storm drain system mapping, best management practice inventories, impervious surface area identification, chemical monitoring data, EMC calculations and pollutant load reduction estimates, illicit discharge monitoring, grading permit information, and fiscal analyses. Current permits require that Phase I localities use ArcGIS or a compatible platform for annual reporting and data received are distributed throughout the Department for internal SSDS analyses to support compliance auditing, and to support Chesapeake Bay Watershed Implementation Plan implementation and model calibration. SSDS is in the last stages of developing and launching a multiple year GIS Municipal Stormwater Permit Tracking System that will completely integrate all annual reporting requirements electronically. This geodatabase will allow SSDS to collect, analyze, store, and report all aspects of Phase I MS4 data, and is described below (see section 4 of this document). Phase II general permit annual reporting is

completely paper based. However, the Department will use components of the Phase I geodatabase when complete in order to convert Phase II annual reports to electronic submissions as well.

Maryland currently does not enter information on CAFO Annual Implementation Reports (AIR) into ICIS. This information currently resides in an Access database that is updated annually once they are received. The AFO Program is currently developing an e-AIR system where registrants can directly enter AIR data into a fillable form which, after vetting, directly is input into the Access database. Basic permit information will be entered into TEMPO which, via a NODE, will be accessible to ICIS.

#### 4. Key Tasks for Updating Agency Data Systems and Data Transmission Systems for Phase 2 Data Groups

In this section the Department describes the roles and responsibilities for all involved parties in the implementation of the Phase 2 requirements under the final NPDES Electronic Reporting Rule. Some programs within the Department plan on using the EPA NeT system so timelines for those programs will be as NeT becomes available. Other programs currently or are developing a system so more detailed timelines and key tasks for updating and managing data systems are outlined below.

Maryland is a direct entry state into ICIS and as ICIS is updated with Appendix A placeholders, Maryland will be able to direct enter necessary data.

The following table summarizes the major milestones for each NPDES Data Group:

<b>NPDES Data Group</b>	<b>Milestones</b>	<b>Target Date</b>
General NPDES Permits (section 2.3.a-i of this document)	Obtain from EPA a database to handle the electronic data flow ready to be used when NeT is launched.	December 31, 2018
General NPDES Permit (section 2.3.j of this document)	Transmit data from existing electronic permitting system to ICIS-NPDES using OpenNode2	June 30, 2017
Sewer Overflow/Bypass Event Reporting	Develop and launch an online web based system for the regulated public to report Sewer Overflow and Bypass Events within 24 hours and provide a tool for submission of the required written reports associated with each.	December 21, 2020
Pretreatment Program Reports and Significant Industrial User Compliance Reports in Municipalities Without Approved Pretreatment Programs	Development in progress in order to provide all requirements in coordination with EPA. The specific target dates and milestones are to be determined as EPA develops and designs the NeT system.	December 21, 2020
CWA Section 316(b) Annual Reports	Development in progress in order to provide all requirements in coordination with EPA. The specific target dates and milestones are to be determined as EPA develops and designs the NeT system.	December 21, 2020

A. General Permit Reports - Including NOIs, NOTs, NOEs, and LEWs; see 40 CFR 122.26(b)(15), 122.28, and 124.5

NOIs, NOTs, NOEs for permits described under section 2.3.a-i of this document:

Maryland currently receives paper NOIs, NOTs, and NOEs and enters the data directly into ICIS. The Department plans to use the NeT tool designed and developed by EPA for electronic submissions of NOIs, NOTs, and NOEs.

Agency/Contractor/EPA Roles and Responsibilities: MDE plans to use the EPA NeT system for the permits described in this section. Timelines for the implementation of the NeT system for these permits will follow EPA's timeline. According to the NeT factsheet provided by EPA, the system for the majority of these permits will begin to be available in 2019. Meanwhile, the Department is working on providing EPA with the correct data elements and parameters needed for the development of these forms and insuring that the program's database is ready to ensure a smooth electronic data flow. MDE is available to work with EPA to develop state permit forms and provide any other support and assistance that EPA deems to be appropriate.

Task Completion Timeline: Development in progress in order to provide all data requirements for the development of the NeT tool in coordination with EPA. The specific target dates and milestones are to be determined as EPA develops and designs the NeT system. To be completed prior to December 21, 2020.

NOIs and NOTs for permits described under section 2.3.j of this document:

Maryland uses its ePermits system for electronic submission of NOIs, NOTs, etc., for the General Permit for Stormwater Associated with Construction Activity. The ePermits system took effect with the 2015 General Permit.

Agency/Contractor/EPA Roles and Responsibilities: Note that there are no LEWs in Maryland. Maryland Department of the Environment plans to transmit data from its existing electronic permitting system to ICIS-NPDES through OpenNode2. The Department is working on implementing this transmission now. If Department encounters difficulties, it may need assistance from its electronic permitting contractor and/or EPA ICIS staff.

Task Completion Timeline: Department is currently reviewing batch electronic permitting data in a test environment. Department plans to implement transfer to ICIS-NPDES as soon as possible, with a longer range target date of June 30, 2017, if there are complications.

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

Annual Implementation Reports (AIRs) are received once per year on March 1st for the prior calendar year by the Maryland Department of Agriculture (MDA). They scan the documents and forward them to the AFO Program at MDE. MDA also has a contractor enter them into a database which they send to us. The digital data is entered into the AFO Program's Access database. Relevant basic registration information is entered into TEMPO and should be available to ICIS via a NODE, once the NODE is developed for AFOs. There are about 600 AIRs per year. AIR information is sent to EPA Region 3 in an excel spreadsheet semi-annually.

Agency/Contractor/EPA Roles and Responsibilities: The AFO Program is currently developing an e-AIR application that will allow direct input of AIR data into the Access database once vetted by Department AFO Program staff.

Task Completion Timeline: Initial project should be completed prior to 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: As mentioned above, SSDS is near the completion of a geodatabase to collect, analyze, store, and report Phase I annual report data electronically. This multiple year project has been financially supported through EPA's Chesapeake Bay Regulatory and Accountability Program (CBRAP). The Department contracted the Maryland Environmental Service (MES) to construct the entire geodatabase, a web-based user input application for permittee reporting, an intake tool with data validation for SSDS staff analyses, and a reporting component so that data can be exported to the Chesapeake Bay Program and other stakeholders.

Task Completion Timeline: In 2016, a draft version of the geodatabase structure was distributed to all Phase I MS4s and numerous meetings were held to explain the structure, answer questions, and take additional input for informing the Department and MES on any remaining issues that needed to be addressed. With resulting changes made, a final geodatabase version was distributed and will be used to submit annual reports electronically at the end of 2017.

SSDS will work with MES throughout calendar year 2017 to build and test both the data validation and internal intake tool components that will complete this process. Subsequent discussion will begin in 2017 about ICIS compatibility and reporting as well. Continued EPA support and guidance will help inform decisions that will be made to create a seamless, electronic data stream from Phase I MS4s through SSDS to the ICIS-NPDES database.

SSDS also has support for creating a Phase II MS4 general permit reporting tool that will be constructed using relevant portions of the Phase I geodatabase. It is anticipated that the Phase II tool will be completed by the end of calendar year 2017 and considerable outreach with various Phase II MS4 communities throughout calendar year 2018 will be needed for implementation.

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

Quarterly reports are received by MDE for each of the twenty (20) approved pretreatment programs resulting in 80 reports every year. The quantitative and qualitative content of these reports varies widely. Currently, paper copies of these reports are submitted to the Department. The Department plans to use the NeT system developed by EPA in order to handle the electronic submissions of these reports.

Agency/Contractor/EPA Roles and Responsibilities: EPA is currently developing electronic reporting tools for NPDES-regulated entities to use. In particular, EPA will be launching the Federal Biosolids Annual Program Report December 2016. EPA will be following a similar strategy for the other reports, including the pretreatment program reports. Timelines for the implementation for these reports will follow EPA's timeline. Meanwhile, the Department is available to work with EPA on providing the correct data elements

and parameters needed, insuring that the program's database is ready to ensure a smooth electronic data flow, and any other support that EPA deems to be appropriate.

Task Completion Timeline: Development in progress in order to provide all requirements in coordination with EPA. The specific target dates and milestones are to be determined as EPA develops and designs the new system. To be completed prior to December 21, 2020.

E. Significant Industrial User Compliance Reports in Municipalities Without Approved Pretreatment Programs - See 40 CFR 403.12(e) and (h)

MDE currently has 4 permits issued by the department. These 4 industries submit either bi-annual or quarterly reports. These reports vary greatly due to the number of different categorical industrial users discharging to the respective POTW.

Agency/Contractor/EPA Roles and Responsibilities: EPA is currently developing electronic reporting tools for NPDES-regulated entities to use. In particular, EPA will be launching the Federal Biosolids Annual Program Report December 2016. EPA will be following a similar strategy for the other reports, including Significant Industrial User Compliance Reports in Municipalities without Approved Pretreatment Programs. Timelines for the implementation for these reports will follow EPA's timeline. Meanwhile, the Department is available to work with EPA on providing the correct data elements and parameters needed, insuring that the program's database is ready to ensure a smooth electronic data flow, and any other support that EPA deems to be appropriate.

Task Completion Timeline: Development in progress in order to provide all requirements in coordination with EPA. The specific target dates and milestones are to be determined as EPA develops and designs the new system. To be completed prior to December 21, 2020.

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: Maryland Department of Environment is developing in house an online/web platform for reporting sanitary overflow and bypass events and the subsequent reports. MDE may enlist a contractor to aid in development of the application and obtaining CROMERR approvals./EPA will need to approve CROMERR applications for the systems and provide support during the application and review phase.

Task Completion Timeline: Development in progress since 2015. To be completed prior to December 21, 2020

G. CWA section 316(b) Annual Reports

Agency/Contractor/EPA Roles and Responsibilities: EPA is currently developing electronic reporting tools for NPDES-regulated entities to use. In particular, EPA will be launching the Federal Biosolids Annual Program Report December 2016. EPA will be following a similar strategy for the other reports, including CWA section 316(b) Annual Reports. Timelines for the implementation for these reports will follow EPA's timeline. Meanwhile, the Department is available to work with EPA on providing the correct data elements and parameters needed, insuring that the program's database is ready to ensure a smooth electronic data flow, and any other support that EPA deems to be appropriate.



Task Completion Timeline: Development in progress in order to provide all requirements in coordination with EPA. The specific target dates and milestones are to be determined as EPA develops and designs the new system. To be completed prior to December 21, 2020.

H. Sewage Sludge/Biosolids Annual Program Reports - *see 40 CFR 503*

[Reserved] - MDE is not the authorized agency for implementing the NPDES biosolids program (EPA is).

## 5. CROMERR Compliance Status for Agency Electronic Reporting Systems

A. General Permit Reports

MDE received CROMERR approval for the ePermits system for the General Permit for Stormwater Associated with Construction Activity on December 31, 2014.

MDE has an EPA approved Attorney General Certification. Therefore no additional application or documentation is required for CROMERR approval to use the NeT system.

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

The CAFO Program in Maryland is in the process of exploring CROMERR compliance options for its electronic reporting system that is in development. Anticipated CROMERR application date 2017/2018.

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

Because both Phase I and Phase II MS4 reporting continue to be paper based, CROMERR is not needed but will be sought subsequent to final geodatabase completion and implementation. This is anticipated in calendar year 2018.

D. Pretreatment Program Reports

MDE has an EPA approved Attorney General Certification. Therefore no additional application or documentation is required for CROMERR approval to use the NeT system.

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

MDE has an EPA approved Attorney General Certification. Therefore no additional application or documentation is required for CROMERR approval to use the NeT system.

F. Sewer Overflow/Bypass Event Reports

Maryland is in the process of exploring CROMERR compliance options for its electronic reporting system that is in development. TBD, anticipated application date 2017.

G. CWA section 316(b) Annual Reports

MDE has an EPA approved Attorney General Certification. Therefore no additional application or documentation is required for CROMERR approval to use the NeT system.

H. Sewage Sludge/Biosolids Annual Program Reports

[Reserved] - MDE is not the authorized agency for implementing the NPDES biosolids program (EPA is).

## **6. State Statutes, State Regulation/Administrative Rule, and NPDES Permit Update Estimated Completion Dates**

Maryland's COMAR 26.08.04.03.C.1 for Reporting for Discharge Permits will not need to be updated for the electronic reporting of DMRs.

Maryland's COMAR 26.08.10 will need to be updated for electronic submissions of Sewer Overflows and Bypass Reporting. Target is to update by 2019.

Maryland's COMAR 26.08.03.09 and 26.08.04.09 will need to be updated for electronic submissions of AFO Permit annual implementation reports.

## **7. Temporary and Permanent Waiver Approval Process (127.24c)**

Maryland has adopted a temporary one-year waiver process. Such waiver requests may be granted if the permittee is able to provide the necessary documentation to prove that they have no current internet access and are physically located in a geographic area that is identified as under-served for broadband internet access using the most recent National Broadband Map that can be found at: <http://www.broadbandmap.gov/>. Such waiver may also be granted if the permittee can provide the necessary documentation (i.e. last three years of tax returns and a list of assets and liabilities prepared by Certified Public Accountant) to fully demonstrate that electronic reporting would pose an unreasonable burden or expense to the facility. Waivers are only granted for a one-year period and must be submitted 120 days prior to the due date of the first discharge monitoring report.

For the General Permit for Stormwater Associated with Construction Activity, the Department currently allows those who ask to use an alternative paper form. Department staff enter these into the ePermits database, so the data would still be transmitted to ICIS-NPDES. The Department will review waiver requirements in the Electronic Reporting Rule and waiver language in EPA's Construction General Permit as it drafts the next General Permit for Stormwater Associated with Construction Activity, which is expected have an effective date of January 1, 2020.

## **8. Outreach and Training**

### **NetDMR**

NetDMR training is provided by the WMA/Compliance Program staff in Maryland. With the assistance of the Maryland Center for Environmental Training (MCET) classes are held at the Department. The percentages of class attendees and NetDMR enrollees is 97% that have been trained have been approved for NetDMR. Off-site training has been provided to permittees in Cumberland (2 times, 34 attendees), Anne Arundel County (2 times, 29 attendees) and at Aberdeen Proving Grounds (9 attendees), NRG (2 times, 50 attendees).

The WMA/Compliance Program has joined with the WMA/Wastewater Permitting Program and the LMA/Oil Control and Mining Programs to notify permittees of the E-reporting Rule passed by the EPA. In September 2015, May 2016 and October 2016 mailed letter notifications were sent to each permittee of their requirements to comply with the Federal Electronic Reporting Rule. To date, eight waiver requests have been received and are being considered at this time. Since the mailing of the letter, phone and email activities have significantly increased. The LMA/Oil Control Program has mailed out letters to its permittees on July 15, 2016 pertaining to the E-reporting Rule passed by EPA.

Presently the Compliance Program is providing the administrative support and fielding the technical issues relevant to customers utilizing NetDMR. Currently 4 Water Management Administration Compliance Program staff are rotating the workload resulting from the dedicated email and telephone line for NetDMR inquiries. They are responsible for checking for phone and email messages and handling the calls/emails cradle to grave. The Wastewater Permit Program will review the waiver requests. Resources are taxed. In anticipation of the workload to comply with the Rule, the Compliance Program requested and obtained an EPA grant funded position to assist for 9-12 months.

#### **ePermits for the General Permit for Stormwater Associated with Construction Activity**

Prior to implementing the ePermits system with the 2015 General Permit, the Department sent a message announcing it to all email contacts it had relative to the General Permit. The ePermits contractor maintains a technical help desk for users. There is also a demonstration version of the system available for review on the ePermits webpage. The Department has a phone number and email address for applicants to ask regulatory/permitting questions. The ePermits system itself sends emails to the applicant/permittee at each stage of the permitting process, and users can log into the system at any time to check status. The Department can use the email addresses available in the ePermits database to send any needed alerts to applicants/permittees should processes change.

#### **MS4 Permit Reporting**

Presently the SSDS Program is providing technical outreach and training to the Phase I MS4 jurisdictions on updating and transferring local databases and structures into the new geodatabase and subsequent submittal via the web intake tool. Once complete, a tailored version of the web intake tool and data analyses tools to fit the annual reporting requirements of the Phase II MS4 permits will be developed and SSDS will provide the training necessary to these permittees.

#### **SSO/CSO/Bypass Reporting**

Once the in house testing is completed, the Department will seek stakeholder input before finalizing and going live. Outreach and training with continued in- house support services may be necessary, as done with NetDMR. Depending on CROMERR requirements (subscriber agreements) extreme support will be necessary during the launch phase and support will continue to be necessary at all times during the life of system. Further outreach during the regulatory changes will also be time consuming.

#### **NeT**

NeT training will be provided to the appropriate NPDES regulated facilities. WMA/Wastewater Permitting Program will provide administrative and technical support to the regulated community. The training provided will vary based on any EPA provided training support. A more detailed training strategy will be developed once more information is available on the NeT system. However, the strategy is expected to mimic the current training program in place for NetDMR.

#### **AFO Reporting**

The regulated community, farmers, generally is not digitally savvy and administrative and technical support will be necessary. Using the University of Maryland Extension, training sessions will be developed and implemented by 2019.

## **8. Alternative Options**

Maryland intends to utilize NetDMR or NeT for a number the general permits and annual and quarterly reports. An alternative option for this plan would be to look into other commercial off-the-shelf systems depending on the availability of EPA support and funding. “Plan B” for SSO/CSO/Bypass is to adopt EPA’s system that is in development. If the ePermits system became unavailable in the future for the General Permit for Stormwater Associated with Construction Activity, then the Department would likely consider NeT as a replacement system.

## **9. Obstacles to Rule Implementation**

Maryland may find the regulatory changes necessary an obstacle. Further and continued technical support of the system(s) will remain challenging in Maryland as staff leave or retire. Garnering full implementation by all permittees to electronically submit may pose an enforcement response challenge depending on numbers. Further, Maryland has centralized its IT department, which may prove to be a hurdle to full implementation based on resources familiar with the subject matter.

## **10. Implementation Plan Reassessment**

WMA/Compliance will address any reassessment of this plan during regular quarterly calls with its EPA representatives. Major funding, staffing, or policy changes could trigger a reassessment of the plan.