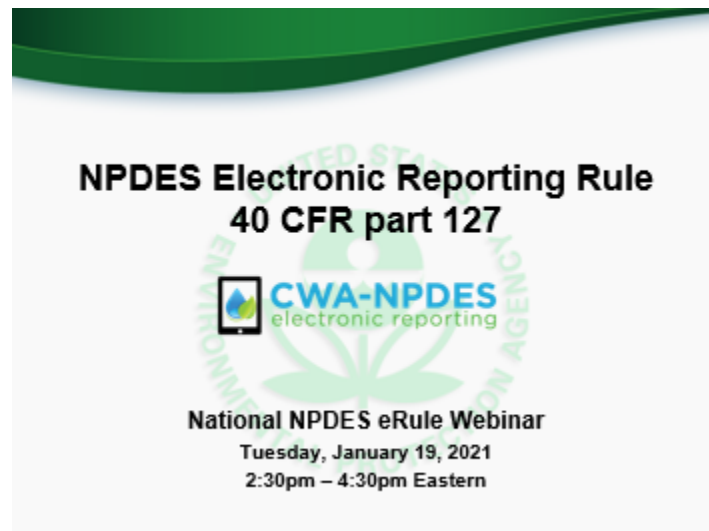# NPDES Electronic Reporting Webinar Transcript
Tuesday, January 19, 2021

Slide 1
Madeline LaPatra (U.S. EPA): Hi, everyone, we're going to give people one minute to get online and connect their audio before we begin. Hello everyone, and welcome to today's webinar on the NPDES Electronic Reporting Rule. My name is Madeline LaPatra, and I work in the Office of Compliance at the EPA. This webinar is for EPA and state, local partners, only. We're going to get started with some housekeeping items.

Slide 2
Madeline LaPatra: You can use your phone or computer for audio. All attendees are in listen only mode, so please ask your questions in the questions box, and we will be answering them throughout and at the end of today's webinar. You can download today's PowerPoint in the handouts box.

Slide 3
Madeline LaPatra: EPA is recording this Webinar, and we will be posting it to our website with the questions that came in during the webinar after. As I mentioned, we will be addressing a few questions at the end of each section, so please enter your questions in the question box as they come to you.

It would be helpful if you had the slide number, or presenter name, or topic, at the beginning of your question, to help us assign it to someone to answer. We will also have some time at the end for questions that we don't get through during this webinar. Here is the link for closed captioning for this webinar. Carey, can you please put the link in the chat where you can access it.

After today's webinar, you can contact NPDES e-reporting Help Desk with any questions you have. Here is their contact information.

> NPDES e-reporting Help Desk
> Phone: 877-227-8965
> Email: NPDESeReporting@epa.gov

With that, I'm going to turn it over to Randy Hill, who is the Director of the Enforcement Targeting and Data Division in the Office of Compliance. Randy, take it away.

Slide 4
Randy Hill (U.S. EPA): Well, thank you very much, Madeline, and let me just ask you a sort of quick logistical question. I still, see the attendee numbers shooting on up. So, I don't know whether that's people who are calling in now or whether the system is still loading everybody on, but if you have more experience with this, do you think we should just go ahead at this point. I guess It's finally starting to slow down. Yep, let's continue. OK, well, good afternoon everyone. Thank you for being here today. This is truly an amazing turnout. We're up to 369 attendees on the numbers. It keeps going up. We have invited folks from EPA and from the authorized, NPDES states.

And the purpose of today's webinar is primarily to provide an update on the implementation of the NPDES Electronic Reporting Rule. We just passed a bit of an anniversary; the electronic reporting rule took effect in December of 2015, just over five years ago. Phase 1 of the implementation of the rule started in December of 2016.

And just in October, we actually extended the deadline for implementation of Phase 2 until December of 2025. Much work, much good work rather, has been done to implement the rule to date. There's still quite a bit that all of us have to do together.

When we put out the extension rule, in October, the Association of Clean Water Administrators let us know that there were some states who were interested in having EPA explain the rule, the extension rule that we put out in October, in more detail. And we at EPA decided that this was a good opportunity to essentially check in with all of you more generally and talk about Phase 2. So, we're going to talk about two different aspects of Phase 2 implementation today.

There are really two models for particularly authorized states to participate in NPDES data collection. Those states that collect their own data, and transfer it to EPA, what we call EDT states. As well as states that are using one of EPA's provided data collection tools; NetDMR, as well as the NPDES Electronic Tool NeT. There are also several Hybrid states, so those, those are just two of the basic categories, but we're going to talk about both of them today, and what more we at EPA can and will do to assist. Next slide, please Madeline.

Slide 5
Randy Hill: So, I'm not going to go over this in detail, that would just be wasting time, but we're going to have seven speakers today. Well, we're going to have seven presentations by four speakers, and there's a lot to cover. We're going to talk about the Phase 2 extension, and some various aspects of our work. We're going to try to save plenty of time for questions at the end. And we'll try to take at least a few questions throughout each of the presentations, and I'm going to turn it back over to Madeline to describe the logistics and then we'll move straight into the webinar. Thank you all again for joining us.

Madeline LaPatra: OK, so I'm going to turn it over to our first speaker, Carey Johnston. Just a reminder to submit your questions in the question box. And we have, we'll be able to answer 1 or 2 of them after each section, but we'll get to most of them at the end, Carey off to you.

2021 National NPDES eRule Webinar

1. Overview of Changes Made by the NPDES eRule Phase 2 Extension

Speaker: Carey Johnston

Slide 6
Carey Johnston (U.S. EPA): Great. Thanks Madeline and thanks Randy. Our first presentation today discusses the changes that EPA made to the electronic reporting rule. These were done through a notice and comment rulemaking last year, and we'll briefly highlight the changes and take a few questions at the end of this presentation. Next slide.

Slide 7
Carey Johnston: So, we published a final rule in November that postponed the compliance deadline by five years. This postponement gives states more time and more flexibility to implement Phase 2 of the electronic reporting rule. We also made changes to some of the data elements: the data sharing requirements, which eliminated some duplicative or outdated reporting requirements, and overall, we think that these changes will help make the transition from paper to electronic reporting more smooth. Next slide.

Slide 8
Carey Johnston: So, as Randy noted, the original electronic reporting rule was published in 2015. That rule followed six years of co-ordination and collaboration with states. There was a lot of effort in developing the 2015 rule. And since we've published the 2015 rule, we've continued our collaborations through meeting and workgroups on various sectors and reports. It's been a very close co-ordination and co-operation with the states. As part of this co-operation and co-ordination, states shared with us that they felt more time was needed. We took the state's recommendation under consideration and then published a proposal to extend the Phase 2 deadline. We also proposed giving states more flexibility in implementing electronic reporting. Overall, we believe that electronic reporting will save time and resources for the permittees as well as for states, tribes, and territories while also improving compliance and providing better protection for waters of the US. Next slide.

Slide 9
Carey Johnston: So, there's really no change in how we broke out the different implementation phases. We have Phase 1 and Phase 2. Phase 1 covers DMR submissions and the Biosolids Annual Report where EPA runs the program. We did not change the deadlines for these electronic submissions. What we did change was the Phase 2 compliance date. That is now, December 21, 2025.

And we are, as you'll see later on, we are building applications for states that want to use our software, which is called NeT. And we're also working on ways in which states can share Phase 2 data with us. And also, as part of Phase 2.

We're getting started on what we call the NPDES Noncompliance Report, the NNCR, and we'll be talking about that later in today's presentation. Next slide.

Slide 10
Carey Johnston: No changes, as I said, regarding the reports and notices that need to be transitioned from paper to electronic reporting. This is unchanged from the 2015 rule. We just wanted to make that clear, that the main change in the November 2020 final rule was the Phase 2 compliance deadlines. Next slide.

Slide 11
Carey Johnston: So, in addition to the five-year extension for the Phase 2 data, we also incorporated two additional changes that provide even more flexibility. So, I'm going to go over these in detail. The first provision allows authorized programs to request more time beyond December of 2025. They can ask for an extension up to, but not later than, December of 2028. So, what that means is if you're a state, and if for whatever reason you haven't been able to convert your general permit or program report to electronic reporting by December 2025, you can request additional time from EPA. EPA can grant that extension but not for extensions beyond December 2028.

The second provision gives EPA on its own initiative to grant itself more time. This might be the case where EPA is running the NPDES program for a state and a general permit hasn't yet been converted to electronic reporting. We can grant ourselves more time. Again, we cannot go beyond 2028. Next slide.

Slide 12
Carey Johnston: So, let's talk about that first provision, so under this new provision, states can ask for more time. But when they ask for more time, they must identify the facilities, the permit, or the program report- the specific data for which they need more time. So, for example, a state may say to EPA, "I need more time for my (I'm making this up) pesticide general permit. This general permit comes up for renewal in 2026, and at that time, I'll be ready to convert to electronic reporting." That's a request that can come to EPA. As I've noted, couple of times already, EPA cannot grant a waiver beyond 2028. We do not think that states will need more time than that December of 2028 deadline, as it is 13 years after the effective date of the 2015 rule. Next slide.

Slide 13
Carey Johnston: So, the other provision allows EPA on its own initiative to grant itself more time. And this would, as I noted earlier, might be the case if we haven't yet converted a general permit or program report to electronic reporting. Or if, EPA is not ready to accept a particular Phase 2 data field from EDT states. This gives EPA more flexibility to build the electronic reporting tools we said that we would build for its general permits and for states that have elected to use NeT. This provision also grants EPA and states more time to ensure that the data sharing protocols are in place for all Phase 2 data. As I noted already, we can give ourselves more time, but we cannot go beyond December of 2028. Next slide.

Slide 14
Carey Johnston: Also, in the November 2020 final rule, were several clarifying edits. We made changes to a few of the data elements. These were minor editorial changes, clarifications, and these were documented in the proposed rule and in the final rule. And we've also summarized them in the attachment to today's presentation. That attachment is in the handouts section of the pod, so you can see that there. Next slide.

Slide 15

Carey Johnston: Accompanying the Electronic Reporting Rule is, as I noted, was the NPDES Noncompliance Report.

[cross talk]

Madeline LaPatra: If you are not Carey, and you're speaking. Could you please put yourself on mute? OK, thank you.

Carey Johnston: Thank you. Yeah, it wouldn't be a webinar without someone interrupting, so thank you Madeline.

So, in addition to the electronic reporting rule, we also implemented a new noncompliance report and with the November final rule we clarified, we actually postponed, the NNCR publication date to December of 2022 for Phase 1 data. And that we will publish the Phase 2 data one year after the draft report for that data is available to the states, but no later than December of 2026. And Courtney will get into this in more detail.

But essentially, what it means is we're committing to the December 2022 date for Phase 1 data. That's DMRs and the Biosolids Annual Report. And as Phase 2 data come online, as EPA builds its tools and as states build their own tools and share data as those data become available, we'll make a draft report available to the states for review and comment, and then one year after that, after that draft report, we'll make those data available to the public. We feel that this would allow for states to provide meaningful comments on the context of the data, make sure the data are accurate and complete. So that when data are released to the public, EPA and the States agree on what the data are and what they need. Next slide.

Slide 16

Carey Johnston: Also accompanying the November 2020 Final Rule was an Information Collection Request. This ICR covers the burden associated with states sharing general permit and program report data with EPA. These data related to implementation of electronic reporting.

And the data that we're specifically asking for are things like, when did the permit convert over to electronic reporting? What's the URL associated with that? If the state is not already sharing the issue, effective, and expiration date of a general permit, we're asking for that information. This information is needed so that the NPDES eRule Phase 2 Implementation Dashboard is current and accurate.
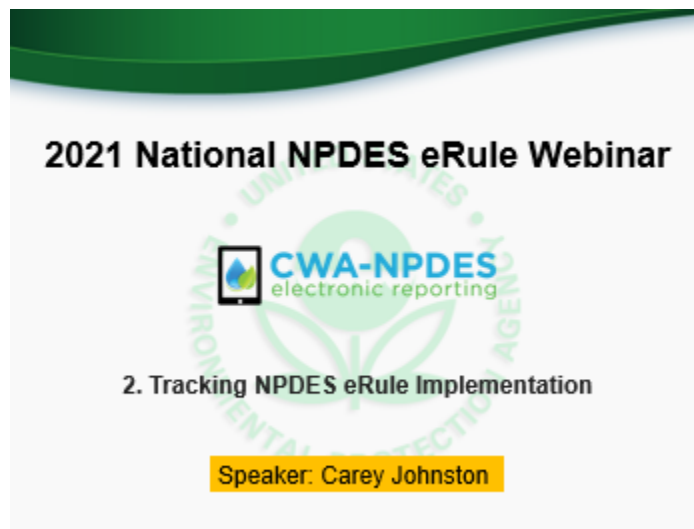
This dashboard is our main communications tool to make sure that we know which general permits are out there, what program reports are out there, which ones have or have not converted to electronic reporting, and which software is going to be used to collect that data. So, it's very important that we have a standardized set of data so that we can track them and make sure that states are making good progress and likewise that states can track our progress in implementing Phase 2. Next slide.

Slide 17

Madeline LaPatra: OK, so that is it. I was just going to check with, Courtney, if there's any questions that have come in on, the section Carey just went over.

Courtney Tuxbury (U.S. EPA): We have no questions.

Madeline LaPatra: Just a reminder, you can put your questions in the question box. And I'm going to turn it back to Carey for the next section on Tracking NPDES eRule implementation.

2021 National NPDES eRule Webinar

CWA-NPDES
electronic reporting

2. Tracking NPDES eRule Implementation

Speaker: Carey Johnston

Slide 18
Carey Johnston: Great. Yeah, I'm going to rush through these intro slides because there's a lot of good information later on, and I want to save time for questions. Next slide.

Slide 19
Carey Johnston: A big takeaway from this section is that we are relying on set of dashboards to hopefully make it really clear where we are and where states are in terms of converting over to electronic reporting and the related data sharing requirements. We want to make it easy for states to understand where we are, where improvements can be made.

We make these dashboards available through our ECHO website, and you can see the link on the screen. Some of these dashboards are on ECHO Gov. ECHO Gov is a resource that's only available to EPA and states. What that means is that some of these dashboards are only available to EPA and the states, and two of them, which I'll show you, are available to everyone. These dashboards are mostly, unless otherwise noted, updated weekly using data from our national NPDES data system, which is called ICIS-NPDES. Next slide.

Slide 20
Carey Johnston: So, at the moment, we have five dashboards that are tracking NPDES eRule implementation, and I'll go into each dashboard in detail.

The first one is what we call our eRule Readiness Dashboard, and you probably, hopefully have seen this before. This has been out since 2017. This gives a good view of Phase 1 data sharing. The next one is the Phase 2 Implementation Dashboard. And that's the dashboard I referenced earlier when I discussed the ICR. This dashboard can provide good quality information on what general permits and program reports are out there, when did they convert to electronic reporting, and what software are they using.

The third dashboard gets to state compliance with NPDES data sharing requirements in the NPDES Electronic Reporting Rule. The eRule not only requires that reports and notices come in electronically, but that States share with EPA the minimum set of NPDES program data. These data sharing requirements are in the eRule. This dashboard shows where data sharing is good and where it can be improved.

The fourth dashboard tracks single event violations. These violations are manually created violations in the NPDES program. So, you can use this to identify where those violations are taking place, and as well as if they were identified through an inspection.

The last dashboard deals with what we call No Data Indicators, or NODIs. These allow you to sift and sort through the various No Data Indicators. And these can be helpful if you're trying to get a sense of, for example, the number of facilities that used a NODI code to report no discharge.

So, these dashboards, as I noted, cover both Phase 1 and Phase 2. You can contact me if you need any help or you need any training. You can send me an e-mail and I'll get you trained and hooked up with any support you need (johnston.carey@epa.gov). Next slide.

Slide 21
Carey Johnston: The first dashboard, the eRule Readiness Dashboard, this was, as I said earlier, published in June of 2017. This dashboard tracks how well states are doing at converting permittees to use electronic reporting for DMRs. We use the "DMR Reporting Method" view to annually assess how well states are doing with converting DMR submissions to electronic reporting. The eRule requires EPA to conduct these annual assessments.

We also have a view on this dashboard that looks at DMR data completeness. The "DMR Data Completeness" view assesses how well states are doing at sharing facility information, limits data, and DMR data with EPA.

There's another view called the "DMR Facilities List" view. This allows you to drill down, sort, and identify how facilities are submitting their DMRs. And we also make monthly snapshots of the data so that you can see trends.

The trends view is particularly helpful if you're a state that relies on electronic data transfer (EDT) and something goes wrong, and you didn't notice it. Well, you can actually use this dashboard to find out, you know what month things are going south, find and fix those errors. I should note that the DMR Data Completeness view is probably the one you're most familiar with that was published in 2017. The DMR Reporting Method is currently only on ECHO Gov. And we intend to release that DMR Reporting Method view to the public in June of 2021, because that is how we will do the annual assessments of DMR reporting, tracking, implementation of electronic reporting. Next slide.

Slide 22
Carey Johnston: So, the Phase 2 implementation dashboard obviously covers Phase 2. It has three tabs. The first tab deals with general permits. So, you can find out which general permits are out there, which software is going to be used to collect the data, issue/ effective/ expiration, number of general permanent covered facilities, different sectors. So, this is a really handy dashboard to see where permits are in terms of converting from paper to electronic reporting.

The Program Report tab does the same thing but for program reports. So, these program reports include sewer overflow reports, biosolids annual report that I mentioned earlier. The Biosolids Annual Report is a funny report in that it spans both Phase 1 and Phase 2. It's Phase 1 where EPA runs the program, but it's Phase 2 for the eight states that are authorized for the Federal Program. There's a CAFO annual report. There's an Urban Stormwater Report. All of those reports are separately identified in this view. You can track the progress in converting from paper to electronic reporting.

And then lastly, we have a roadmap, spotlighting EPA's progress with Phase 2 implementation. Next slide.

Slide 23

Carey Johnston: This is just a snapshot showing the NPDES eRule Phase 2 Implementation dashboard. And it's, it's just important to note, EPA needs good quality information from the States on general permit and program reports to make sure that the Phase 2 dashboard has current, accurate, and complete information. As I stated earlier, we will be using an information collection request to ask states to help us maintain this dashboard by sharing basic information on general permits and program reports. Next slide.

Slide 24

Carey Johnston: The next dashboard deals with data sharing. We have a couple of different views.

The data completeness view shows how well states are doing sharing key data on facilities. So, like facility latitude and longitude data or SIC and NAICS codes. If you're a state and you want to see, is, or are my data being transferred to EPA, you can use this data completeness view to check on that for a select set of data fields.

Then we also have another view called the Data Groups view. In the electronic reporting rule, we wanted to make it easy to identify when facilities or which facilities were filing reports. So, for the DMR report, we have a special code for that. And if there are problems with sharing that code, this data groups view is very handy in finding mismatches. For example, this dashboard can help you identify facilities that have active limits sets but aren't separately identify as DMR filers using the special code.

So, it's important to note that these dashboards can help you identify problems, but they often point to additional work that is needed to fix the problems. But we think that the first aspect of fixing a problem is identifying it. Which is why using this dashboard is really key. Next slide.

Slide 25

Carey Johnston: So, this is the NPDES single event violations. Single event violations are manually created violations. This covers all regulated entities, so all permit types, majors, and non-majors. This dashboard is only available on ECHO Gov. The SEV summary view, charts and displays all SEV data. The inspections view combines both SEV and inspection data. This is a handy dashboard if you want to track your main newly created single event violations. Next slide.

Slide 26

Carey Johnston: And this is the NODI Code dashboard. This dashboard allows you to find and search and sort facilities that are reporting no data. This dashboard is only available on ECHO Gov. This covers all permit types majors, and non-majors from 2016. We first published this dashboard last year in July. Next slide.

Slide 27

Carey Johnston: And we also have a website. So, the NPDES eReporting website can be found at: www.epa.gov/complaince/npdes-ereporting. This is a handy website if you want to get technical papers, updates, links to Federal Register documents. It's got a lot of implementation help, in terms of draft model permit language and outreach kits. There's a lot of good information here that you can use. Next slide.

Slide 28

Carey Johnston: And I'll pause here.

Madeline LaPatra: Courtney, were there any questions that came in for Carey?

Courtney Tuxbury: We have a few questions. First up is from Rhode Island, how far in advance do states need to request an extension to the Phase 2 deadline, if needed?

Carey Johnston: Um, oh, I believe that was in the rule, I don't have a memorized. I can look that up.

Madeline LaPatra: Ok, next question.

Courtney Tuxbury: The next question was from slide 13. It said, the slide said the EPA can extend the deadline if they need more time after 2025 to build out tools that they agreed to build, or system/ protocol for states to use to share data. Does that mean that EPA can take up to December 2028 to build a tool systems or protocols? If so, how should states be able to complete work on our end after EPA completes their work?

Carey Johnston: That was kind of a lengthy question. So, we'll get into that collaboration later in today's webinar. Essentially, EPA needs to define an endpoint for how states are going to share data with us if they're going to build their own tools. We'll be talking about that later on in today's webinar. So, for EPA, there are two things that we need to do. We need to build tools where states want to use our software for Phase 2. We also need to tell states how they can share NPDES program data if the state wants to build its own tool. So, we're working on both those aspects. We don't think we will need to go beyond 2028 and we're aiming for completing these data sharing protocols well before 2025.

Courtney Tuxbury: Another is: What is the preferred method for updating EPA and the state's progress towards meeting Phase 2 of the eRule?

Carey Johnston: That is an excellent question. We will be soliciting input from states on how best to do that. We will use this information to update the Phase 2 Implementation Dashboard.

Madeline LaPatra: Great. Thanks, Courtney. That's all the time we have for questions right now. We will get to more of these questions at the end, but I'm going to turn it over to Jason Swift, our next speaker, who's going to go over an overview of the partnership for NPDES eRule implementation. So, Jason, take it away.

2021 National NPDES eRule Webinar

CWA-NPDES
electronic reporting

3. Overview of Partnership for NPDES eRule
Implementation

Speaker: Jason Swift

Slide 29
Jason Swift (U.S. EPA): Thanks, Madeline. You can go onto the next slide.

Slide 30
Jason Swift: What Carey's dashboards show us is the progress towards implementation of the NPDES eRule. I want to go over ways that we're working with our state partners to implement the eRule. Much of our success to date is attributable to the states that we have worked with and the states that we're currently working with, and we will be hearing from some of the states a little later on. I want to share with you just ways that we are working with the states and services that we can provide. And one of those, of course, is through access to financial resources through the Exchange Network grant program. As well as technical resources through some of our support contracts set up so that states can get help with their data flows. Specifically, we've been working a lot with some states on their ICIS NPDES data flows where they might be running into issues.

We do have, in terms of NeT development, a Memorandum of Understanding that we enter into with the states that have elected to use NeT. And this MOU basically lays out roles and responsibilities just to make sure that we're all on the same page entering into this collaboration. It also sets expectations regarding review of the permit, developing the requirements for the electronic reporting solution, post deployment customer support and training, and change management for that tool. It's all laid out in a memorandum of understanding.

We also, worked very closely with the states through workgroups to develop a set of technical documents in response to the NPDES eRule. We want to encourage states to continue to move forward with electronic reporting as much as possible, again, to gain the benefits of electronic reporting, such as access to information, higher quality information, etcetera. So, Madeline, you can go to the next side, where we will discuss the Exchange Network Grant.

Slide 31
Jason Swift: This is an opportunity that's been out there for quite some time. We do work very closely with our Office of Mission Support and the group that manages the Exchange Network grant to ensure that there's always provisions for ICIS data flows, and for the NPDES eRule implementation including the NeT development process.

This program aims to improve access to an exchange of high-quality information, which is a clear benefit of the NPDES eRule. Within the solicitation notice, we do lay out some example activities that, we believe, would fall within the scope of the exchange network funding. So, for example development, testing and implementation of an electronic reporting system for NPDES individual permit or general permits or program reports.

So, hopefully the write-ups in the solicitation notice are enough information, adequate information, for the states to utilize to develop their robust applications. And, we've had some really great success over the years with state applications that are focusing on ICIS data flows and NeT development as well.

Where states are electing to develop shared services, they might have to add elements to their existing data flow. So, there might be some updates to nodes that need to happen. For FY20, just quickly, there was over $7 million that was awarded for 32 projects. Now, that's across environmental programs. That's not just our little pot. But I did see some states were awarded grants in FY20 for activities related to NPDES e-Reporting and their ICIS data flow. In 2020, the solicitation notice was published in early February. The applications were due in mid-April, and then the grants were awarded in September. I suspect we will see a similar schedule for the exchange Network this year. So, I would suspect that the solicitation notice will go out in early February with the goal again of getting those awarded at or near the end of the fiscal year, so around September.

Here's the EPA website: https://www.epa.gov/exchangenetwork/exchange-network-grant-program

There's also information on the Exchange Network's website, https://www.exchangenetwork.net/about/network-grants/ .

Slide 32
Jason Swift: This slide references the MOU for development. This is a document that's not binding, not enforceable. But it's really a memorandum of understanding for the development of the NPDES electronic Reporting Tool (NeT)and it sets forth terms and understanding between the EPA and our partners.

We do try to maintain the scope of work addressed by the MOU within 40 CFR Part, Appendix A, though, there's always opportunity to discuss where we might need to do some development around non- appendix A activities or data elements. Those items would be addressed during conversations between the state and they're integrated project team on the best way to address those types of data elements. So, it is laid out in five different areas. With permit review, we want to know, what is the data that's going to be collected on the NOI.

From that, we will then work with you to develop the requirements for further electronic reporting. Typically, those requirements are documented in the form of user stories. Those user stories are then handed off to our developers for implementation. And there's a process that we go through for development with a goal of a viable product that we can deploy for you. The MOU also includes post deployment operations, including customer support and training, and finally change management.

And we can document, the number of trainings that the EPA can offer to the state, and oftentimes, that training is not just on NeT, but also the EPA central data exchange, which is the tool that we use for our user authentication (i.e., ID and password). So as a state user electing to use NeT, you will also have a role in CDX. Specifically, you will need to be familiar with the CDX process to set up a users' account. There are extra process steps that users have to go through if they're going to be signatories. Many of you probably have experience with the process if you use NetDMR.

The MOU is voluntary, but it does express the good faith intensions between the EPA and states. And we do want to have the MOUs in place before any real development happens. Again, it's a fairly heavy commitment,

financially, on our part, to develop these NeT tools. And so, we just want to make sure that the States will make the necessary resources available in the form of permit, program, and IT expertise to ensure a successful joint development project.

It's a mix of knowledge, skills, and abilities that are needed for successfully rolling out these NeT tools. But we have had great success, so it does work. To date, we've had four states sign our MOU and we're working with others that have elected to use NeT to get their MOUs in place currently.

Slide 33
Jason Swift: Just to touch on the technical resources that we currently have available for states that are sending in data electronically. We do maintain a contract with Windsor Solutions to help states with their dataflows if they're running into any issues. For example, this might include setting up a permit in ICIS. They offer technical assistance to state or local agencies that are using the OpenNode2 node and plugin.

Windsor works backwards from the plugin to troubleshoot and to figure out what might be causing a significant number of rejection errors if that's what's happening. It really is a unique process between the state agency, Windsor Solutions, and our contract officer representative that they can install, configure, test, troubleshoot, and implement either ICIS Air or the ICIS NPDES data flows. And if you have any upgrades that are needed to your dataflow, we can work through that process as well. For example, the new NPDES data group was new to most states.

If you need help updating your dataflow to capture that specific data element and you're using the OpenNode2 plugin, Windsor solutions is available to help with that. They can also offer customized support, which is generally needed where a state requires a more significant level of effort to assist with implementing a data fix.

Windsor can support states that might be getting pages and pages of rejection errors to troubleshoot and conduct a root cause analysis to figure out exactly what is happening. If it's a heavy lift, Windsor Solutions will work with the state to develop a work plan that will through review by the contract officer representative, just to make sure that resources can properly be allocated to that work.

You can request assistance using the ICIS support portal, icis.zendesk.com. At the top of the page, there's a little button labeled Submit a request. On the Submit a Request page, there is a drop-down box to select the appropriate request type. From the drop-down list, select the Data Quality Form. Submitting that form will generate a Helpdesk ticket. Those tickets are assigned to the Windsor Solutions contract officer representative.

      ICIS Support Portal (https://icis.zendesk.com/hc/en-us).

We have an escalation procedure where the COR works with Windsor Solutions to reach out to that state.

So, if you do need help, I recommend going to the ICIS Support Portal to initiate the request for assistance.

Slide 34
Jason Swift: The NeT Help Center is a knowledgebase and a ticketing system that we make available to the states that have elected to use NeT. We maintain a similar online Help Center for ICIS and NetDMR.

On the web-based knowledgebase, we post training materials, user guides, and frequently asked questions. You can also launch the NeT tool from this page. We've created some state specific pages as well. This is an example of the Rhode Island NeT ZenDesk page, where we've listed how to guides for different forms, and user

guides. There's training on how to create a new account, but really, it is a central knowledge base for users that are using one of our NeT tools. We can also link to state websites.

Some states have elected to put all of the support material on a state website, and we can link to that to facilitate access to the state information for the users.

And we work through these details within the integrated project team and as part of the MOU development. We have staff that are part of the integrated project team for rolling out these net tools that work with states to address user needs and identify roles and responsibilities. In a lot of cases, we can utilize existing material to develop state specific material. It's a really well used tool.

Slide 35
Jason Swift: In addition to the knowledgebase, we also maintain a helpdesk. Through either phone or email, this helpdesk can document and address user support requests. The helpdesk is equipped to provide what we refer to as Tier 1 support. If a user has questions about account setup, accessing the appropriate NeT program or completing and signing documents, or general troubleshooting, the NeT helpdesk can address those tickets. They also coordinate very closely with the CDX Help Desk. Again, those are folks that are responsible for user authentication. So, if somebody's going to go through the process of setting up their role as a signatory, they have to submit a signature agreement. They have to go through identity proofing, which is done in CDX. We also have escalation procedures in place to address and resolve policy and permit questions. These are typically what we refer to as Tier 2 type of requests where it's not appropriate for the Tier 1 helpdesk to answer those questions. We would escalate them to the state agency and work with them to ensure that the user gets the information that they're looking for. We also, through this process, capture any bugs or defects that might exist in the system or any change requests or enhancements. We can take those requests in and quickly expedite those, so that they are assigned to a product owner and the developers to address as quickly as possible. So, that's a benefit for EPA's development team because we can keep our pulse on how the system is working and address any issues as quickly as possible.

Madeline LaPatra: Two minutes left, Jason.

Slide 36
Jason Swift: Thanks, Madeline. I'll try to go quickly here. I just wanted to highlight, one of the benefits of using NeT is that we can make this information publicly accessible. ECHO takes information from ICIS and they have a very robust search page. But we also have a search lookup feature available at https://permitsearch.epa.gov/. You can use this website to search different permit records, NOIs, NOTs. There are different search options. For example, you can search based on geography, NPDES ID, or permit IDs. Currently it includes the construction stormwater, industrial stormwater, and aquaculture permits in this lookup tool. But you can get copies of records in PDF form, such as a NOI or NOT. This permit search tool was just recently rolled out. We had to quickly transition from the e-portal into this new search page, and we've gotten a lot of really positive feedback from users about its ease of use and access to information. So again, it's a public access portal that we can make available when you elect to use the NeT tool. I know that some permits require certain review periods for their permits.

Slide 37
Jason Swift: In closing, I just want to emphasize all of the work that we've done collaboratively with the states Since the eRule took effect in 2015, we've had nine workgroups focusing on developing technical documents. Currently three of those work groups are still active and six of them are no longer active. But those work groups are really responsible for submitting a set of recommendations on the Phase 2 data elements, and, again, it was a large group of state and EPA regions and headquarters staff that worked through that process. We also will ramp up a workgroup when we decide to start working on a permit or program report.

I know with the MS4 permits, or the Sanitary Sewer Overflows, Carey Johnston is ramping up workgroups to focus on these permits and program reports. So if you're interested in participating in these workgroups, or if you're interested in participating in any of the currently active workgroups like the NNCR workgroup or the EPA State General Permit and Program Report Workgroup, Carey Johnston is the point of contact for those, and I would highly recommend it. Again, much of our success is attributed to these workgroups and states participation on these workgroups. I just highly encourage you guys to stay apprised of all that is happening.

Slide 38
Jason Swift: The next slide is a list of those workgroups. Again, the top three are the currently active ones. The first one is just EPA. It's the NPDES Regional Workgroup where we work with the regional offices, our counterparts in the regions, to work through the eRule implementation. But the next two, the NNCR workgroup and the State General Permit and Program Report Workgroup, are open to states and are currently active. The NNCR meets biweekly. The General Permit Workgroup meets monthly. Courtney Tuxbury is the lead for the NNCR Workgroup and Carey is the lead for the general permit workgroup. If you're interested, please reach out to them.

Slide 39
Jason Swift: Finally, we have monthly calls for ICIS users where we do touch on NPDES with the State ICIS users.

So, again, I'd encourage you to participate in those calls. We also use a service called Gov Delivery to send out e-mails. It's a subscription service and you can self-subscribe through ICIS ZenDesk or through NeT ZenDesk. You can access this subscription services and get information that we send out through that process.

Slide 40
Madeline LaPatra: Great. Thank you, Jason. Unfortunately, because of the time we have to move on to Rob's section, but we will answer the questions that came in either in the question box or we'll get to some of them at the end. So, I'm going to turn it over to Rob Cannon now to go over ICIS modernization and how it could affect NPDES eRule Phase 2.

2021 National NPDES eRule Webinar

4. ICIS Modernization and How it Could Affect
NPDES eRule Phase 2 Implementation

Speaker: Rob Cannon

Slide 41

Rob Cannon (U.S. EPA): Thanks, Madeline. I'm sure many of you would like to know what ICIS will look like in the future so that you can plan for the changes you may have to make on the state end. Unfortunately, my presentation today won't meet that request. What I will do is tell you when EPA plans to have that information to share for you. That we'll cover today. Next slide, please.

Slide 42

Rob Cannon: The key takeaways for this presentation are reasons for the modernization, the timing of it, and how it will involve you, our partners, and customers. Next slide, please.

Slide 43

Rob Cannon: But first, let's take an expanded view of ICIS. ICIS aids the agency of State users in meeting evolving regulatory business needs by integrating enforcement and compliance information into a single data system. It's comprised of three components. ICIS-NPDES is maintained by the Office of Compliance to track permanent compliance and enforcement status of facilities regulated by the National Pollutant Discharge Elimination System under the Clean Water Act. It supports programs at the state, regional, and national level. Next slide, please.

Slide 44

Rob Cannon: The next component is ICIS-FE&C. ICIS FE&C contains EPA data for inspections and enforcement, for the Clean Air Act, the Clean Water Act, the Safe Drinking Water Act, and many more regulations that you see here. The final component ICIS-Air. ICIS-Air, contains compliance and permanent data for stationary sources for air pollution, regulated by State, regional and EPA air pollution agencies organizations. I think these are the last major update of any kind to ICIS was in 2013, and this has been the configuration of it since then. So, the question now is, why modernize? Next slide, please.

Slide 45

Rob Cannon: So why modernize? To meet our users current business needs, you all, to develop our user centered design system eases users reporting burden, to take advantage of modern technological offerings, to meet compliance assures reporting requirements imposed by new regulations, and to reduce cost and time in future development, operations, and maintenance. So, what's the timing for this modernization?

Slide 46
Rob Cannon: Thank you, Madeline. So, here's what we have. For Phase 1, we're calling it the concept development phase.

It will begin with the development of a concept of operation, which will describe the next iteration of ICIS. That concept of operations will be the output for this phase, which will lay out the new system to meet the business needs of our partners, as well as EPA. This phase will end sometime in 2021, so this this calendar year.

The next phase, Phase 2, will move into analyzing the requirements discovered from the concept of operations. And in this phase, it is expected that it will aid in identifying the technology that will support meeting those requirements identified in Phase 1. This phase will go on from 2021 calendar year on into Calendar year 2022.

The final phase for this modernization is where we'll be finalizing the technological solution for the minimum viable product, some of you may be familiar with that term, to build the new ICIS. We plan on having that product implemented it by the end of year 2025. So, at the end of Phase 1, you'll get a notional idea of what the future ICIS will look like. By the end of Phase 2, you should have enough details of the future ICIS to plan for it in more detail in your organizations. So how will we involve you? Next slide, please.

Slide 47
Rob Cannon: EPA will staff a Modernization Board, which will include states as members. EPA will establish focus groups, which also will include state and local users as members of these groups to collect ideas and new system requirements for your organization. EPA will ask States to review and weigh in on the proposed concept of operations from Phase 1 before it's finalized, the analysis of business requirements, the output of Phase 2, before they're finalized and the technological solution of the new system, which will be in phase three and conducted through a iterative process. Most of you may recognize this term called Agile. Next slide, please.

Slide 48
Rob Cannon: So, what do we need from you all? We need you to participate in all phases of this effort to better support the water community. To aid the EPA and community and communicating modernization efforts to the water community with large and to work with ECOS and identify potential state and local participants for the modernization. Next slide, please.

Slide 49
Rob Cannon: So, what has EPA done so far, and what are our next steps? Well so far, what we've done is we've contacted a vendor to conduct the concept of operations phase, and we're in, talks with them at the moment. We've contacted ECOS asking them to review the draft modernization charter and aid in finding board members for it. We provided a copy of that to ACWA's leadership as well for their feedback. So those are the three high level things that we've done so far, so next steps. What we'd like you to do is contact us if you're interested in participating in the ICIS NPDES modernization system requirements. Actually, I should say ICIS Modernization System requirements period. Not just NPDES. Contact us, if you're interested in participating in the modernization board as well, or ECOS. Next slide, please.

Slide 50
Madeline LaPatra: Great, so, it looks like we have one minute, Courtney, was there any questions that came in for Rob?

Courtney Tuxbury: There are a few, the first is, if we want to, oh, maybe this is actually a question for later. Yes, the first question would be, who is the vendor for con-ops if that can be shared?

Rob Cannon: I don't know that I can share that, but I will get back to ACWA, we'll get back to ACWA on that once I figure that out. Actually, I don't think that I can share that because we actually haven't procured the vendor just yet we're in talks with the vendor. So, I know that I can't share that.

Courtney Tuxbury: The next question is, which media programs are covered by ICIS modernization? The questioner asks if this is going to include wastewater, biosolids, and CAFOs?

Rob Cannon: It will include everything under NPDES, that will be covered by the ICIS modernization as well as what's under Air with respect to the stationary sources, regulations, and also internally to EPA, it's Federal Enforcement and Compliance Program.

Courtney Tuxbury: And then the next question is, who do we contact for the modernization board?

Rob Cannon: Oh, you can contact me. I will put my information in the chat: cannon.rob@epa.gov.

You can also, I'm not quite sure how ECOS interacts with the states, per se, but you can also contact your state representative on the ECOS board as well if you're interested. That might be the better uptake. We are asking ECOS to make recommendations and we pretty much will be following their recommendations, but I can pass your request on as well.

Madeline LaPatra: OK, great, thanks, Courtney and Rob.

So, we're going to be moving on to our next section, which is by Carey, and it's an update on new data mapping template for Phase 1 and Phase 2 data.

We'll continue to answer your questions at the end.

Carey?

Carey Johnston: Yep. Hey, Madeline, can you hear me?

Madeline LaPatra: Yup.

Carey Johnston: All right. Next slide, please.

Slide 51 & 52
Carey Johnston: The key takeaways for this section is that we would like to continue to work with states on how they can efficiently and effectively share their Phase 2 data with EPA.

EDT stands for Electronic Data Transfer. States that build their own electronic reporting tools need a way to share Phase 2 data with EPA. In response to this requirement, we would like to talk about a new tool. It's a spreadsheet that will provide more clarity on how state data systems can be configured to be able to send data to EPA. And today's webinar will do a quick walk through at a very high level on this data mapping template. Next slide.

Slide 53
Carey Johnston: As I mentioned in the first section of today's webinar, it has been five years since we published the 2015 rule. We've done a lot of outreach to states since then. Jason reference those workgroups earlier in the webinar. We had sector-specific workgroups (one for pretreatment, another for sewer overflows, and yet another one on CAFOs). We documented our recommendations in order to provide more clarity and context to the Appendix A data elements. We noted that states should use these technical papers when they build their own electronic reporting tools. EPA also noted that technical papers would be useful for developing data sharing protocols (schemas). These technical papers are available on our NPDES electronic reporting rule website. So, the way to think about it is that these technical papers and the regulation itself tries to use plain language on what data must be collected, managed, and shared electronically. Well, the other aspect to data sharing is that computers need to talk to other computers, and they need a schema so that they can communicate. And that's what I'll be talking about on the next slide.

Slide 54
Carey Johnston: We are developing a new spreadsheet tool, which we are calling the Data Element Template (DET). This template identifies linkages between existing data tags (also known as XML schema tags) and the data elements in the eRule (Appendix A). The existing data tags are in the current ICIS-NPDES schema (version 5.9). We've also used the DET to identify suggested new XML schema tags for the Phase 2 data. We will send the DET to states for their review.

At the moment, we can only accept data using the current ICIS-NPDES schema (version 5.9). The DET identifies the proposed new XML schema tags for Phase 2 data. This will help define an endpoint for states as they're building their own electronic reporting tools. We are currently developing this template and it's not quite ready. We intend to finish our review in February and get it to the States by the end of March 2021.

It is important to note that distribution of the draft DET template is only the start of our discussions with states. We need your input and your feedback on the DET. We used this same approach with the electronic reporting rule itself. Next slide.

Slide 55
Carey Johnston: This slide gives a snapshot of the DET worksheets. The DET helps make clear for each tag any parent-child relationships, the cardinality which is, is it 1 to 1, 1 to many, is it optional, and how does it relate to Appendix A?

We also have a separate worksheet that does the reverse, which is we start from the data elements and Appendix A and map them to the existing and proposed schema tags. We're also providing notes to help provide more context, any business rules. These are all things that we hope would provide clarity on the endpoint that you should target for Phase 2 data. And if you're building an electronic reporting tool, and you want to know, well, "how do I share this Phase 2 data with EPA?" - It's our hope that this spreadsheet can provide clarity. When we distribute the DET we will welcome any state comments on whether we need to change it or add fields or worksheets or information. Next slide.

Slide 56
Madeline LaPatra: Great. Thanks, Carey. It looks like we have one minute for a question.

Courtney Tuxbury: First question is, how many states are currently using NeT? This has come in twice.

Carey Johnston: Maybe we could share a list later, but I believe the answer is 12. You can see that through the Phase 2 implementation dashboard.

Courtney Tuxbury: And the next question is related to slide 54. And it asks, will the template map to current ICIS or future ICIS? If only current ICIS will it be modified for future ICIS once completed?

Carey Johnston: The DET will map to the current schema, version 5.9, and will also identify proposed extensions, which we'll notionally call it ICIS Schema 6.0. We will also identify those reports that will be revamped or replaced. For example, there's a current CAFO report with its own payload. Well, that's being revamped by the electronic reporting rule. We'll make it clear what data mapped to Phase 1 and Phase 2, and which payloads are likely to be, at some point in the future, revised or taken down.

Madeline LaPatra: OK, thank you Carey. So, our next speaker is Cindy, and Cindy is going to be giving us an update on NeT development.

2021 National NPDES eRule Webinar

CWA-NPDES
electronic reporting

6. Update on NeT Development

Speaker: Cindy Hobus

Slide 57
Cindy Hobus (U.S. EPA): Good afternoon everybody. If you can go to the next slide.

Slide 58
Cindy Hobus: As was alluded to in prior slides, and discussions, we are in the process of providing NeT solutions, not only for EPA, but also for states that have signed up with us to automate the permit process.

As we go through the development process, it's important that we engage our state partners and, as was indicated in Jason's presentation, we do that through the MOU and we then set up meetings to initiate the efforts. If we can go to the next slide, please.

Slide 59
Cindy Hobus: Our process for determining the requirements is a very collaborative process. The MOU kind of sets the tone. But as we move forward, we have weekly meetings, we want to ensure that we understand for each particular state their nuances and their needs for their permit. Usually we have weekly meetings. We have ongoing meetings and we also are very sprint oriented, which is, again, the Agile process. I don't know if all of you know what the Agile process is, it is a process by which we, we deliver incremental functionality to allow you to utilize the new permit functions as soon as you can. Next slide, please.

Slide 60
Cindy Hobus: This is a little bit of a repeat of what I've just said. Our approach is we collaborate with the EPA regions and states. We're increasing efficiencies and quality of net application requirements and gathering and deployments. With each permit, we learn something, and we apply it to the next permit. We reuse process flows whenever possible. We reuse code and services as well.

We focus on the general permits and program reports that provide savings and benefits to Regional and state NPDES programs. Next slide, please.

Slide 61
Cindy Hobus: This slide gives you view of what applications have been developed and who we're working with. We've done a lot of work with primarily Utah, Illinois, South Dakota. We've also done work, especially with aquaculture with Region 1 and some of the other states.

We have three states now that we're working with for the MS4 general permanent and program report, and we're working right now with Region one and Puerto Rico. Next slide, please.

Slide 62
Cindy Hobus: This is another view for how you can check our status. This is what Carey had gone through before, is the dashboard that is available, you will see on this slide link to those dashboards. Next slide, please.

Slide 63
Madeline LaPatra: Great, thank you, Cindy. We're going to turn it over first to Jill Riedel to speak for a couple of minutes about their experience in South Dakota using NeT.

Jill Riedel (South Dakota Department of Environment & Natural Resources): Can you guys hear me?

Madeline LaPatra: Yep, we can hear you.

Jill Riedel: Awesome.

Hopefully I don't glitch out, not planning on it, but you never know. Again, this is Jill from South Dakota, and we've worked with NeT and E-reporting for a couple different programs in our Surface Water Program.

The first one I have on my notes list is the biosolids annual report. That just went live earlier this month through NeT. So, we have about 24 permittees that have biosolids permits that we issue permits for through the State and every year we'll send out a letter to remind all of our permittees that they need to submit their annual report. And this year, in our letter, we just included a little blurb, "hey, we have this NeT option that's electronic reporting for your annual report".

I think every permittee said that would be fine. We haven't had any pushback. I think the one that preferred to send in paper actually ended up terminating. Our biosolids coordinator is Raul Vasquez so if you have any specific questions about that, we can direct you to him. But he said the most trouble or question they have had is about how to sign up and also what to do if there hadn't been any biosolids productions, how to report that. But that's been pretty minimal and easily answered.

Our other two, I guess, programs we have e-reporting for are industrial and construction stormwater and I'm kind of going to talk about those really quick together. We went through NeT for industrial stormwater and in-house for our construction stormwater e-reporting. We went live with NeT for the Industrial Stormwater in November. We have about 800 facilities permitted on that, and we have, through NeT, the electronic NOI/NOT, the annual report, change NOI, and currently working on transfer of ownerships.

Through our state IT for our CGP Construction General Permit, we only have the electronic report for NOIs. We don't have any electronic NOTs or change orders or change NOIs. We don't have any contractor authorization forms electronic. All of that still has to come in via paper and we have to enter that manually.

Currently, only our City of Sioux Falls, our biggest MS4, our biggest city, and the DOT fill out electronic reports or I guess, electronic NOIs for our CGP. We still don't have this data talking to ICIS which is another plus for NeT. Which, I guess, that's my next little blurb.

The pros of NeT we have found: directly talks to ICIS, or, I guess, the contractor will do that; everyone's already familiar with the data unlike with the state IT, who didn't understand, I guess, our information; and it also will have all the report forms we need, or I guess not but if you would need NOIs/NOTs/changes, they're very easy to work with. It's pretty comparative from one state to another. For example, Rhode Island already has their

industrial through NeT, so they have a transfer of ownership form that will be slightly adapted for us, but they don't have to re-invent the wheel.

So, it's pretty quick we have noticed, timewise at least. So that was a lot of me rambling, and I will pass it on back to you guys.

Madeline LaPatra: Thank you so much Jill. So next we have Margarita and Crystal from Rhode Island to talk a little bit about their experience with NeT.

Slide 64
Margarita Chatterton (Rhode Island Department of Environmental Management): Thanks. Next slide. Let's go to the next slide.

Slide 65
Margarita Chatterton: Hi, everyone.

We currently use NeT MSGP and are working on the Net MS4 application. For the sake of time, I'm going to skip over a portion of the slides. On this slide, I just wanted to highlight a few things that you need to do when you commit to using NeT:

The MOU was one of them, as mentioned earlier. You also will need to provide information from your program forms. As a new user, I suggest that you review the forms that are already in NeT. In addition, understand what you will have to commit. You will have to commit to continuously coordinating with EPA's contractor and EPA, and ideally you want staff positions of data management and permit writing and compliance to be present at the table. Next slide, please.

Slide 66
Margarita Chatterton: I'm going to skip over goals to give Crystal some time. A few things to keep in mind: If I were a state that is thinking of using NeT and looking into the options that are available, I will keep in mind that Rhode Island was first to use NeT and the time demands are likely to be reduced with every new user.

Remember that the work doesn't end when the application is deployed. You're going to have to continue to work on improvements. I would also recommend that in looking at your data collection, you always keep in mind your primary goals. For us, it was meeting EPA's reporting requirements and improving compliance. Make sure that your data is geared to support satisfying your goals. And lastly, take the time to understand and map your permits, submission, and processing workflow. Next slide, it's yours Crystal.

Slide 67
Crystal Charbonneau (Rhode Island Department of Environmental Management): Hi, everyone, I'm Crystal at the Rhode Island NPDES program. Can you hear me Madeline?

Madeline LaPatra: Yup we can hear you.

Crystal Charbonneau: So, I'm kind of going to skip over a lot of this going into detail for time.

But we do have an outline of, you know, there was an initial part of getting set up in NeT. There were some items that we needed to do for implementing it right off the bat. And, you know, there is ongoing demand from the state to keep it running, so the takeaway from that really is that it's not a flip of the switch, it does take some time to review thoroughly.

You do need to collaborate, as everyone else has mentioned, with the contractors and EPA and we have myself in this position, the NeT program and the NPDES permitting program are just not stationary and have not been since I started working with NeT and even before that.

And so, the data input duties that existed were and are largely replaced with these new technical and compliance needs and initiatives. So just keep that in mind for states using either NeT or another program service.

I'll turn it back to Madeline.

Madeline LaPatra: Great. Thank you, Crystal and Margarita.

Slide 68
Madeline LaPatra: So, Cindy, is this your last slide?

Cindy Hobus: I wanted to point out that EPA and state staff can view and test out these applications in our test environment. The URL link is: https://test.epacdx.net/

The NPDES eRule Helpdesk is available to help you get set up, phone number and the e-mail is within slide set. And if needed, we can also provide you with some demos for one or more of these applications. So, next slide.

Slide 69
Cindy Hobus: Looks like that's it. Yeah. I just wanted to make another statement. In the ICIS modernization section, we talked about the goal of taking advantage of new technological offerings. NeT has been bushwhacker, for lack of a better word, and we have used a lot of new technology and very successfully, which has helped keep our costs low as we build these permits and tools out for you. So, go ahead, Madeline.

Madeline LaPatra: Yeah, I'm just going to check with Courtney. It looks like we have one minute for questions for Cindy, or Margarita or Crystal or Jill.

Courtney Tuxbury: Oh, we have no questions right now.

Madeline LaPatra: Oh, that's good, OK. Thank you, everybody. And have a good day.

OK, thanks, Cindy, so now onto our final section, which is by Courtney Tuxbury. She's going to go over an update on NNCR Development. Courtney off to you.

2021 National NPDES eRule Webinar

CWA-NPDES
electronic reporting

7. Update on NNCR Development

Speaker: Courtney Tuxbury

Slide 70
Courtney Tuxbury: OK, hi everyone. My name is Courtney Tuxbury and I lead the NNCR or NPDES Non-Compliance report workgroup and today I'm providing an overview of both the non-compliance reports and our workgroup.

Slide 71
Courtney Tuxbury: The takeaways from the NNCR presentation are firstly, that EPA is working with states to develop the NNCR through regular workgroup meetings. And then in the workgroup, we're working together to make improvements to our non-compliance reports and documenting the recommendations from the workgroup. Next slide.

Slide 72
Courtney Tuxbury: This slide is a high-level view of the NNCR regulation. The eRule requires EPA to produce the online non-compliance reports for the NNCR. And with the Phase 2 extension rule, we updated the deadlines for public release of the reports and separated them into two parts. The Phase 1 violations in December of 2022, and the Phase 2 violations in December of 2026.

There are two reports included in the NNCR, the quarterly reports and Annual report. These are the regulatory replacements for the QNCR and the ANCR.

The quarterly report is the facility level detailed list of all new or ongoing violations that occurred during a quarter, details about the violations, and any enforcement actions that were taken response to those violations. And the annual report is a summary report of the regulated universe who had violations, compliance monitoring, or enforcement activities during that year and then separates them by state, tribe, or territory.

These reports include violations identified by both the regulatory authorities, so any SEVs that were identified after inspection or those that were self-reported by the facilities, like any effluent violation that's reported on a DMR or violations that reported on the new Phase 2 program reports. Next slide.

Slide 73
Courtney Tuxbury: Thanks. So key planned improvements for the report. Firstly, is to incorporate workgroup comments for improvements to the QNCR. One example is that we've been developing a guide to detail why a violation would have a specific status, or a resolution. This draft document currently is about 100 pages long.

The guide includes descriptions of each violation detection or resolution. We have flowcharts of processing hierarchy. For example, if you were wondering which is evaluated first, the technical review criteria violations or the chronic violations from DMRs, you can find this information. It also includes visual examples to help understand some of the more detailed nuances in the violation processing logic. We'll also be working on developing training materials for the reports.

Some other items, as much as possible, the reports will use plain language in both the report and in the documentation. It will include all violations. So, the concept of non RNC violations has been eliminated with the NNCR. We're working to design the interface to make it easier to understand which violations are contributing to a specific status and allow for basic and advanced searches.

So, the basic or default searches will provide the data that's required by the regulation, but more details, or advanced search options will be available for those that are interested in knowing more about the violations or the enforcement actions. Next slide.

Slide 74
Courtney Tuxbury: So, we've been working together to improve our data quality and the violation processing logic. To do this, we have been working together through the existing RNC logic, which is also known as violation Processing Rules. But note that the NNCR is not going to overwrite the RNC processing in current ICIS NPDES, which is being used for the SNC reduction NCI.

The workgroup evaluated four the ICIS NPDES reference tables that are central to violation processing and recommended over 800 updates to make some of the reference table values more consistent with the details in the regulation. These changes were implemented last October in ICIS.

We also work together on some enhancements or edits to the NNCR regulatory text. And those were included in the Phase 2 extension rule changes. So far, the focus of our discussions has been on non-compliance related to wastewater, but we will move to other sectors specifically violations identified on the Phase 2 program reports.

We'll have a beta version ready by the end of this year, so December of 2021 for state testing and review. And this will allow a one-year beta testing period to help identify any potential bugs and then also implement other enhancement requests to the search tool or the report itself before we have the public release in December of 2022. Next slide.

Slide 75
Courtney Tuxbury: And this slide shows our current workgroup members. We meet biweekly on Wednesdays at 3 PM Eastern. If you're not already participating on the workgroup and this sounds interesting to you, I invite you to join us. My e-mail is at the bottom of the slide (tuxbury.courtney@epa.gov).

And although our work group has been meeting together for several years, we still have folks that are joining regularly, and all of our meetings, slides and notes are available under SharePoint, as well as the draft guide, and the mock ups for the report search tool. Next slide.

Slide 76
Madeline LaPatra: Great, thank you, Courtney. So, Carey, were there any questions that came in for Courtney while she was presenting?

Carey Johnston: Yeah, a good question from Steven. He asks, Will the new quarterly and NNCR go beyond the scope of the existing QNCR? For example, will the NNCR include all RNC Violations or will only show SNC Level violations?

Courtney Tuxbury: So, the answer to the first question is, Yes, it will go beyond the violations that are currently included in the QNCR.

With the NNCR regulation we are required to document all violations as Category I or Category II, as described in the regulations. So, this idea of non-RNC violations, an example would be a single effluent violation in the six-month window would not meet that criteria. It wouldn't show up, this will be included on the NNCR.

Carey Johnston: Great. That's it for Courtney's section.

Madeline LaPatra: OK, great, Courtney! Thank you so much. And before we jump into the Q&A portion, which will be the rest of the webinar, I just want to thank everyone for hanging with us. I know it's been a long webinar with a lot of information, but please continue to enter your questions into the question box. We have about a little over 20 minutes now to kind to go through some of the questions that came in.

The rest of this PowerPoint is background information, so feel free to look through that on your time if you would like to and now for the question and answer portion. I'm going to turn it over to Courtney.

Courtney Tuxbury: OK, I believe this first question is for Jason, and the question is if we have a current Exchange Network grant for Phase 2 reporting with an expiration date before 2025, will there be EPA support to extend out the grant performance period to allow us to complete the work in alignment with EPA schema completion?

Jason Swift: So, this is Jason. I recommend that you work with your Project Officer on that determination. I can't give out a blanket approval, nobody here could, but that is definitely something that you should discuss with your current Project Officer on your grant.

Courtney Tuxbury: Thanks, Jason. I believe the next question will be for Rob. The question is, some policies, for example, SNC and timely and appropriate, etcetera, were developed in recognition of the technology limitations at the time the policies were set, does your timeline on slide 46 include updates to policies and guidance?

Rob Cannon: I mean, the straightforward answer is no, we've not looked at any policy changes that may need to be made in parallel with the ICIS modernization, but that is not quite in my area. So that isn't to say that there won't be some policy changes that will be needed because of changes to ICIS modernization or in spite of changes to ICIS. So, I know that's not helpful, but I have no knowledge of any plan to change any policies regarding NPDES these or any other EPA regulation. So, if anyone else on the call, has better knowledge, than I do on that, please feel free to chime in.

Randy Hill: So, Rob, this is Randy. I'll just jump in to say that, I mean, I think that the premise of the question is that, for instance, the, the definition of significant non-compliance was, in some sense, predicated on what data were available and how, And how PCS, which is now ICIS NPDES, was originally designed for violation processing. And so, if we modernize ICIS, are we going to modernize all those policies? And is that part of the, part of the schedule, and the answer you gave is exactly correct, which is, we haven't specifically considered it. I think, you know, obviously, I think we would want the changes to the policy to drive the modernization rather than the other way around. But, you know, there's obviously been a lot of focus on significant non-compliance and how it's determined and how we address it because of the National Compliance Initiative. So, I think it's

fair to say that there is work going on a parallel track. How that will relate to a modernized ICIS NPDES hasn't been worked out yet but it's definitely something we do need to keep our eye on.

Courtney Tuxbury: Thanks, Randy.

Rob Cannon: I just thought as one short thing again, I would remind everyone that we do plan on having interactions with various focus groups, to talk about business requirements and I would hope that such things because Randy's right, policy change should drive whatever ultimately, the product will be regarding ICIS, that will discover these things along the way, and, should there need to be activities, or workgroups spun up to address them in more detail to provide greater guidance on ICIS modernization, then we'll do so.

Courtney Tuxbury: OK, unless other folks are typing questions right now, all of the questions that have been submitted have been either responded to and text or verbally, so I think we can pass it to Randy for closing remarks.

Randy Hill: Going once, going twice.

I will say that first of all, I really do appreciate the turnout and how many stuck with us the whole time and it was a bigger turnout even than we expected. So, I think that there may have been a couple random questions that we didn't get to that we will respond to.

We did collect all of the questions that were submitted today and as we have done for all of our previous webinars, we're going to post the slides, a transcript of all of the remarks, all of the questions and answers on the NPDES eRule website.

And, and I will also say that we did want to do a big webinar because there were so many interlocking pieces going on, but as Jason summarized, this is not kind of a one-off for us in terms of interaction with our partners in both the regional offices and the states, so I do encourage you to continue to participate in some of those more specific workgroups.

And, other than that, I just want to say thank you very much, we'd be happy to give you 15 minutes of your life back, and we will be in touch further. And, Madeline, is there anything else that you need to close with?

Madeline LaPatra: Nope. Thank you so much, Randy, and thank you for everyone for attending, and have a great rest of your day. Thank you.