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## NPDES Electronic Reporting Rule – Phase 2 Extension

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On September 23, 2020, EPA Administrator Andrew Wheeler signed the final Phase 2 Extension of the Clean Water Act National Pollutant Discharge Elimination System (NPDES) Electronic Reporting Rule. This final rule postpones the compliance deadlines for Phase 2 implementation by five years and provides states with additional flexibility to request even more time as needed.

The EPA will continue to work closely with NPDES-authorized states, tribes, and U.S. territories and the regulated community to expedite the transition from paper to electronic reporting in an orderly and efficient manner.

### **Purpose of Final Rule**

The final rule postpones the compliance deadline for Phase 2 implementation by five years and provides states with additional flexibility to request more time as needed. The final rule also makes several minor changes to the NPDES eRule that clarify existing requirements and eliminate some duplicative or outdated reporting requirements.

These changes will help ensure a smoother transition from paper to electronic reporting for the NPDES program. Taken together, these data standardizations and the corresponding electronic reporting requirements are designed to save the NPDES authorized programs considerable resources, make reporting easier for NPDES-regulated entities, streamline permit renewals (as permit writers typically review previous noncompliance events during permit renewal), ensure full exchange of NPDES program data between states and EPA to the public, improve environmental decision-making, and protect human health and the environment.

### **Overview of NPDES Electronic Reporting**

EPA published the National Pollutant Discharge Elimination System (NPDES) Electronic Reporting Rule (“NPDES eRule”) on October 22, 2015. The 2015 rule required EPA and states to modernize Clean Water Act (CWA) reporting for municipalities, industries and other facilities. That rule replaced most paper-based NPDES reporting requirements with electronic reporting.

EPA and states are using electronic reporting for the NPDES program to save resources, make reporting easier for regulated entities, streamline permit renewals, ensure full exchange of NPDES general permit data between authorized NPDES programs and the EPA to the public, improve better environmental decision-making, and better protect human health and the environment. EPA and states have made considerable progress in implementing Phase 1 of the NPDES eRule.

## Progress in Deploying Electronic Reporting for the Federal Biosolids Annual Report



These reports include: (1) Discharge Monitoring Reports (DMRs); (2) general permit reports (e.g., Notices of Intent to discharge in compliance with a general permit); and (3) other specified program reports. The NPDES eRule included a phased implementation schedule (40 CFR 127.26). Most states and permittees have successfully implemented Phase 1 of the NPDES eRule, which includes electronic submission of DMRs and the Federal Biosolids Annual Report where EPA is the Regulatory Authority. Electronic submission of all other reports and notices and related data are part of Phase 2 implementation.

### **Further Information**

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### **Useful Final Rule Links:**

EPA Website Link

<https://www.epa.gov/compliance/npdes-ereporting>

Email sign up for updates, training, and outreach events

<https://public.govdelivery.com/accounts/USAEPAOECA/subscriber/new?>