

**NPDES Electronic Reporting Rule
Phase 2 Implementation Plan
for
Tennessee Department of Environment and Conservation
Division of Water Resources
August 9, 2021**

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 at: NPDESReporting@epa.gov.

1. Overview/Executive Summary

In this section, give a brief overview of the agency's current data systems and e-reporting capabilities. (Details will be provided elsewhere in this template.) Summarize the key tasks for updating or building the agency's data systems and include estimated timelines. (i.e., Indicate what data you will act as initial recipient, brief description of current or planned eReporting tools, title of executive sponsors and main personnel involved with implementation, current or planned databases and data transfer to EPA capabilities.) This section should provide the primary contact for this IP and the approximate date when the agency expects to successfully implement electronic reporting for Phase 2 data.

Tennessee Department of Environment and Conservation's Division of Water Resources (TDEC) has completed a review and integration of the minimum set of data identified in Appendix A of the NPDES Electronic Reporting Rule (eRule) into its existing in-house ORACLE/APEX database, WaterLog. The following data flows, including all required data elements currently available within the ICIS-NPDES schema, are electronically reported from WaterLog to EPA through Windsor Solutions' OpenNode2 exchange node: Basic Facility, Basic Permit, General Permit, Permit Components, Permitted Features, Limit Sets, Limits, Narrative Conditions, Compliance Monitoring (Inspections), Informal Enforcement, Formal Enforcement, Compliance Schedules, Single Event Violations, and Terminations. On a continuing basis, TDEC has worked to maintain and upgrade data flows as software, targets, and schemas change.

Additionally, TDEC launched a CROMERR-approved electronic forms system, MyTDEC Forms, in November 2020 that will collect all Phase 2 required reports from its customers. TDEC has opted to be the initial recipient for all data groups that it has the authority to regulate. Two exceptions are the Annual Biosolids Report that is regulated

by and reported directly to EPA; and Low Erosivity Waivers which are not utilized by the state of Tennessee's Construction Stormwater program. The MyTDEC Forms system was funded, in part, by an Exchange Network grant (# 83967901) and utilizes Shared CROMERR Service components. The minimum set of NPDES data identified in Appendix A of the rule have been integrated into these forms and all data can be submitted electronically from MyTDEC Forms to WaterLog. TDEC is launching these forms to its customers in stages, with a complete onboarding goal of December 2022. As of the date of this plan, all CAFO Annual Reports were received electronically for the 2020 calendar year, four of eight state environmental field offices have begun accepting Construction General Permit Notice of Intent (NOI) forms electronically, and approximately 45% of municipal facilities have been onboarded to electronically report sewer overflow events. Tentative dates for the launch of the remaining forms are outlined TDEC's [Electronic Reporting website](#).

The primary contact for TDEC's Phase 2 Implementation plan is:

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2. Agency NPDES Universe

This section is a "snapshot" in time and should include a date of when these numbers were calculated. Provide the names of your NPDES individual and master general permits (MGP) and counts of general permit authorizations for each MGP currently under the jurisdiction of your agency. Please also indicate the number of permits that are currently not in EPA's ICIS-NPDES database. Please mention anticipated large changes in these numbers (new or terminating MGPs). If you wish, electronic reporting counts or percentages may also be included in this section. The following list is for example purposes only and you should group your permits as you wish.

TDEC has the following permit volume by category as of June 14, 2021:

- A. Number of Active and Administratively Continued Major Individual NPDES Permits: **162**
- B. Number of Active and Administratively Continued Minor Individual NPDES Permits: **979**
- C. Number of Active and Administratively Continued MS4 Permits: **95**
- D. List of Agency General NPDES Permits with number of authorizations for each:
 - a. Tennessee General NPDES Permit for Discharges of Stormwater Associated with Construction Activities (CGP): **9358**
 - b. Tennessee Storm Water Multi-Sector General Permit for Industrial Activities (TMSP): **3062**
 - c. General NPDES Permit for Discharges of Stormwater Runoff and Process Wastewater Associated with Ready Mixed Concrete Facilities (RMCP): **244**
 - d. General NPDES Permit for Discharges of Treated Groundwater Associated with Underground Storage Tank Remediation (UST): **23**
 - e. General NPDES Permit for Discharges of Hydrostatic Test Water: **17**
 - f. General NPDES Permit for Discharges from the Application of Pesticides (TNP): **16**

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

In this section, detail the current NPDES data systems and/or e-reporting tools that your agency currently employs, or your planned e-reporting systems/tools. States that elect to use EPA's electronic reporting tools can cite that in this section.

WaterLog

TDEC uses an ORACLE/APEX database, referred to as "WaterLog", in support of Clean Water Act activities, including the NPDES program. WaterLog is used to track permitting, compliance, and enforcement actions. To-date, all eRule required data elements have been integrated into the supporting Oracle schemas and APEX front-end.

OpenNode2

Data is electronically submitted from WaterLog to EPA's ICIS-NPDES database using Windsor Solutions' OpenNode2 exchange node. New and modified NPDES data are transferred to ICIS-NPDES on a weekly basis, at minimum. All Phase 1 Appendix A required data elements that are currently available in the ICIS-NPDES schema have been submitted to EPA via this exchange node since August 2018.

MyTDEC Forms

TDEC has developed and launched a CROMERR-approved portal, MyTDEC Forms, designed to receive Phase 2 required data elements from the regulated community. This system is a state-specific configuration of Windsor Solutions' nForms product. The system allows users to undergo secure identity proofing via CROMERR Shared Services' LexisNexis APIs and electronically sign and submit forms to TDEC. TDEC staff review incoming submissions from within the portal, and, when deemed complete, trigger the process to electronically transfer the form data into WaterLog.

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

In this section, if you have a current system, describe key tasks for updating the agency NPDES data systems to manage and share the data in each of the Phase 2 Data Groups with EPA's ICIS-NPDES (e.g., adding new data elements to state NPDES data systems, updating the state's electronic data transmission capabilities, including incorporating new data schemas and Environmental Information Exchange Network node plug-ins). If you do not have a current system, describe your development and/or purchasing process and timelines. If multiple state agencies administer these programs, this can be a combined plan or each agency may submit a plan. Please indicate if you plan to use the EPA NeT system for any of these items. Timelines will then be as NeT becomes available. For either scenario, describe the roles and responsibilities for agency staff, contractors (if needed), and EPA (if needed). Include estimated completion timelines for each of the key tasks for each data group in this section. Clearly state if data system updates will cover more than one data group (data group subsections may be combined as needed). Indicate if your plan is to direct enter data into ICIS rather than electronically flow data. As an example, data groups have been listed below. Your agency may have different names for these groups. These are for example purposes only. The following table summarizes the major milestones for each NPDES Data Group.

TDEC has successfully converted all state forms affected by eRule to an electronic format within the MyTDEC Forms system. All forms contain the minimum set of data elements identified in Appendix A applicable to the specific program area and are capable of both collecting and transferring data electronically. However, not all data is currently capable of being reported to EPA through the exchange node due to the ICIS-NPDES schema not currently containing all the Appendix A required data elements. Details for each data group are provided in the following list.

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

The following is a list of TDEC forms, including internal form control numbers, that pertain to this data group. All forms listed have been converted to electronic format, including applicable Appendix A data elements, and data transfer capability from MyTDEC Forms to WaterLog has been established. All data elements that are currently available in the ICIS-NPDES schema are electronically transferred from WaterLog to EPA via OpenNode2.

- Notice of Intent (NOI) for General NPDES Permit for Stormwater Discharges from Construction Activities (CN-

0940)

- Notice of Intent (NOI) for Storm Water Discharges Associated with Industrial Activity under the Tennessee Multi-Sector General Permit (TMSP) (CN-1108)
- TMSP No Exposure Certification (CN-1516)
- Notice of Intent (NOI) for Discharges of Treated Groundwater Associated with Underground Storage Tanks (UST) Remediation (CN-1217)
- Notice of Intent (NOI) for Discharge of Hydrostatic Test Water (CN-1262)
- Notice of Intent (NOI) for Process Wastewater and Stormwater Runoff Associated with a Ready Mixed Concrete Facility (CN-1216)
- Phase II Storm Water Permit - Municipal Separate Storm Sewer System (MS4) NOI (CN-1295)
- Notice of Intent (NOI) for Water Treatment Plant Discharge Permit (CN-1225)
- Notice of Termination (NOT) for General NPDES Permit for Stormwater Discharges from Construction Activities (CGP) (CN-1175)
- Notice of Termination (NOT) for Universal General NPDES Permit (CN-1586)

Agency/Contractor/EPA Roles and Responsibilities: The following list of forms and associated data elements need to be integrated into the ICIS-NPDES schema by EPA. Once integrated, Windsor Solutions will need to incorporate them into the OpenNode2 payloads and release a new version to their customers. The Department will then place a request with the state's information technology department to upgrade OpenNode2 to the new version. Agency staff will coordinate to update data element mapping and test electronic submissions to ICIS Stage before releasing the upgrade to production environments.

- CGP NOI:
 - Total Area of the Site
- MS4 NOI:
 - Unique Identifier for Each Municipality Covered Under MS4 Permit
 - MS4 Measurable Goals Associated With Public Education Program
 - MS4 Measurable Goals for the Public Involvement and Participation Program
 - MS4 Measurable Goals Associated With Illicit Discharge Detection and Elimination Program
 - MS4 Measurable Goals Associated with the Construction Site Stormwater Runoff Control Program
 - MS4 Measurable Goals Associated with the Post-Construction: Stormwater Management Program
- CGP, TMSP, and RMCP NOIs: Residual Designation Determination Code is not applicable to the state of Tennessee. The criteria defined by this data element in Appendix A has not been met by the Department's regulated community, therefore, a designation process has not been established.

Task Completion Timeline: Beginning of this work is contingent upon EPA adding the data elements outlined above to the ICIS-NPDES schema and Windsor Solutions' ability to incorporate them within the OpenNode2 payloads. Once the updated node becomes available to the Department, it is estimated to take approximately 6 months to schedule and complete an upgrade installation and begin electronically reporting data to EPA.

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

TDEC's NPDES Concentrated Animal Feeding Operation Annual Report (CN-1588) has been converted to electronic format, including applicable Appendix A data elements, and data transfer capability from MyTDEC Forms to WaterLog has been established. Electronic transfer capability from WaterLog to the ICIS-NPDES schema has not been established due to 29 of the 34 required data elements not currently being present in the ICIS-NPDES schema or the OpenNode2 payload.

Agency/Contractor/EPA Roles and Responsibilities: Outstanding data elements will need to be integrated into the ICIS-NPDES schema by EPA. Once integrated, Windsor Solutions will need to incorporate them into the OpenNode2 payloads and release a new version to their customers. The Department will then place a request with the state's information technology department to upgrade OpenNode2 to the new version. IT and DWR staff will coordinate to update data element mapping and test electronic submission to ICIS Stage before releasing the upgrade to production environments.

Task Completion Timeline: Beginning of this work is contingent upon EPA adding the data elements outlined above to the ICIS-NPDES schema and Windsor Solutions' ability to incorporate them within the OpenNode2 payloads. Once the updated node becomes available to the Department, it is estimated to take approximately 6 months to schedule and complete an upgrade installation and begin electronically reporting data to EPA.

C. Municipal Separate Storm Sewer System (MS4) Program Reports - See 40 CFR 122.34(g)(3) and 122.42(c)

TDEC's Municipal Separate Storm Sewer System (MS4) Annual Report (CN-1291) has been converted to electronic format, including applicable Appendix A data elements, and data transfer capability from MyTDEC Forms to WaterLog has been established. Electronic transfer capability from WaterLog to the ICIS-NPDES schema has not been established due to the required data elements not currently being present in the ICIS-NPDES schema or the OpenNode2 payload.

Agency/Contractor/EPA Roles and Responsibilities: Outstanding data elements will need to be integrated into the ICIS-NPDES schema by EPA. Once integrated, Windsor Solutions will need to incorporate them into the OpenNode2 payloads and release a new version to their customers. The Department will then place a request with the state's information technology department to upgrade OpenNode2 to the new version. IT and DWR staff will coordinate to update data element mapping and test electronic submission to ICIS Stage before releasing the upgrade to production environments.

Task Completion Timeline: Beginning of this work is contingent upon EPA adding the data elements outlined above to the ICIS-NPDES schema and Windsor Solutions' ability to incorporate them within the OpenNode2 payloads. Once the updated node becomes available to the Department, it is estimated to take approximately 6 months to schedule and complete an upgrade installation and begin electronically reporting data to EPA. The MS4 Program Reports will be required to be submitted electronically in the next issuance of the Small MS4 General permit. The issuance of this permit is dependent on completion of the rulemaking process which is tentatively expected to be completed in 2022.

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

TDEC's Control Authority Pretreatment Semi-Annual/Annual Report (CN-1382) has been converted to electronic format, including applicable Appendix A data elements, and data transfer capability from MyTDEC Forms to WaterLog has been established. Electronic transfer capability from WaterLog to the ICIS-NPDES schema has not been established due to 26 of the 29 required data elements not currently being present in the ICIS-NPDES schema or the OpenNode2 payload.

Agency/Contractor/EPA Roles and Responsibilities: Outstanding data elements will need to be integrated into the ICIS-NPDES schema by EPA. Once integrated, Windsor Solutions will need to incorporate them into the OpenNode2 payloads and release a new version to their customers. The Department will then place a request with the state's information technology department to upgrade OpenNode2 to the new version. IT and DWR staff will coordinate to update data element mapping and test electronic submission to ICIS Stage before releasing the upgrade to production environments.

Task Completion Timeline: Task Completion Timeline: Beginning of this work is contingent upon EPA adding the data elements outlined above to the ICIS-NPDES schema and Windsor Solutions' ability to incorporate them within the OpenNode2 payloads. Once the updated node becomes available to the Department, it is estimated to take approximately 6 months to schedule and complete an upgrade installation and begin electronically reporting data to EPA.

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

This data group is not applicable to the state of Tennessee. There are currently no Significant or Categorical Industrial Users that are not covered under an approved pretreatment or program and/or report to the state.

Agency/Contractor/EPA Roles and Responsibilities: Not applicable.

Task Completion Timeline: Not applicable.

F. Sewer Overflow/Bypass Event Reports - See 40 CFR 122.41(l)(4), (l)(6) and (7), and (m)(3)

TDEC's NPDES Sewer Overflow Event Reports (CN- 1585) has been converted to electronic format, including applicable Appendix A data elements, and data transfer capability from MyTDEC Forms to WaterLog has been established. Electronic transfer capability from WaterLog to the ICIS-NPDES schema has not been established due

to 9 of the 12 required data elements not currently being present in the ICIS-NPDES schema or the OpenNode2 payload.

Agency/Contractor/EPA Roles and Responsibilities: Outstanding data elements will need to be integrated into the ICIS-NPDES schema by EPA. Once integrated, Windsor Solutions will need to incorporate them into the OpenNode2 payloads and release a new version to their customers. The Department will then place a request with the state's information technology department to upgrade OpenNode2 to the new version. IT and DWR staff will coordinate to update data element mapping and test electronic submission to ICIS Stage before releasing the upgrade to production environments.

Task Completion Timeline: Beginning of this work is contingent upon EPA adding the data elements outlined above to the ICIS-NPDES schema and Windsor Solutions' ability to incorporate them within the OpenNode2 payloads. Once the updated node becomes available to the Department, it is estimated to take approximately 6 months to schedule and complete an upgrade installation and begin electronically reporting data to EPA.

G. CWA section 316(b) Annual Reports - See 40 CFR 125, subpart J

TDEC's NPDES Cooling Water Intakes 316(b) Annual Report (CN-1587) has been converted to electronic format, including applicable Appendix A data elements, and data transfer capability from MyTDEC Forms to WaterLog has been established. Electronic transfer capability from WaterLog to the ICIS-NPDES schema has not been established due to the required data elements not currently being present in the ICIS-NPDES schema or the OpenNode2 payload.

Agency/Contractor/EPA Roles and Responsibilities: Outstanding data elements will need to be integrated into the ICIS-NPDES schema by EPA. Once integrated, Windsor Solutions will need to incorporate them into the OpenNode2 payloads and release a new version to their customers. The Department will then place a request with the state's information technology department to upgrade OpenNode2 to the new version. IT and DWR staff will coordinate to update data element mapping and test electronic submission to ICIS Stage before releasing the upgrade to production environments.

Task Completion Timeline: Beginning of this work is contingent upon EPA adding the data elements outlined above to the ICIS-NPDES schema and Windsor Solutions' ability to incorporate them within the OpenNode2 payloads. Once the updated node becomes available to the Department, it is estimated to take approximately 6 months to schedule and complete an upgrade installation and begin electronically reporting data to EPA.

H. Sewage Sludge/Biosolids Annual Program Reports - Complete this subsection only if the agency is the authorized NPDES program for biosolids; see 40 CFR 503

This data group is not applicable to the state of Tennessee. TDEC is not the authorized NPDES program for biosolids.

Agency/Contractor/EPA Roles and Responsibilities: Not applicable.

Task Completion Timeline: Not applicable.

I. Individual Permit Applications – Data elements not included in CFR 40 127.16

The following list of data elements are specified in eRule as only being required for Individual NPDES permits, therefore, these data elements will not be included in General Permit NOIs. Electronic transfer capability from WaterLog to the ICIS-NPDES schema has not been established due to these required data elements not currently being present in the ICIS-NPDES schema or the OpenNode2 payload.

Individual NPDES permits with Construction Stormwater Component:

- Post-Construction Total Impervious Area
- Proposed Stormwater Best Management Practices for Construction Activities
- Post-Construction Stormwater Best Management Practices for Construction Activities
- Soil and Fill Material Description
- Runoff Coefficient of the Site (Post-Construction)

Individual NPDES permits with Industrial Stormwater Component:

- Total Surface Area Drained (Industrial)
- Proposed Stormwater Best Management Practices (Industrial)

Individual NPDES permits with POTW Component:

- Name of Collection System
- Owner Type of Collection System
- Collection System Identifier
- Percentage of Collection System That Is a Combined Sewer System
- POTW Wastewater Treatment Technology Level Description
- POTW Wastewater Disinfection Technology
- POTW Wastewater Treatment Technology Unit Operations

Agency/Contractor/EPA Roles and Responsibilities: Outstanding data elements will need to be integrated into the ICIS-NPDES schema by EPA. Once integrated, Windsor Solutions will need to incorporate them into the OpenNode2 payloads and release a new version to their customers. The Department will then place a request with the state's information technology department to upgrade OpenNode2 to the new version. IT and DWR staff will coordinate to update WaterLog schema and data element mapping; and test electronic submission to ICIS Stage before releasing the upgrade to production environments.

Task Completion Timeline: Beginning of this work is contingent upon EPA adding the data elements outlined above to the ICIS-NPDES schema and Windsor Solutions' ability to incorporate them within the OpenNode2 payloads. Once the updated node becomes available to the Department, it is estimated to take approximately 6 months to schedule and complete an upgrade installation and begin electronically reporting data to EPA.

5. CROMERR Compliance Status for Agency Electronic Reporting Systems

In this section, describe Cross-Media Electronic Reporting Rule (CROMERR) compliance status for the agency's e-reporting systems (e.g., anticipated application dates, approval dates or anticipated approval dates) for each Phase 2 NPDES data group. Clearly state if CROMERR approval dates will cover more than one data group (data group subsections may be combined as needed or there can be one date that applies to all categories). States that elect to use EPA's electronic reporting tools can cite that in this section as these CROMERR approvals can be expedited.

A. General Permit Reports

CROMERR Approval Date: January 7, 2021

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

CROMERR Approval Date: January 7, 2021

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

CROMERR Approval Date: January 7, 2021

D. Pretreatment Program Reports

CROMERR Approval Date: January 7, 2021

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

CROMERR Approval Date: Not applicable

F. Sewer Overflow/Bypass Event Reports

CROMERR Approval Date: January 7, 2021

G. CWA section 316(b) Annual Reports

CROMERR Approval Date: January 7, 2021

H. Sewage Sludge/Biosolids Annual Program Reports

CROMERR Approval Date: Not applicable

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

Provide scheduled estimated end dates for updating state statutes, regulations, and NPDES permits. Note if these have already been completed or are not necessary. Discuss the status of required regulatory issues.

On March 12, 2019, Tennessee's Attorney General Herbert Slatery issued a statement affirming that Tennessee has the legal authority to implement the eReporting component of its authorized programs consistence with 40 CFR § 3.2000. Furthermore, Tennessee Rule 0400-01-40 became effective on December 27, 2015, supporting eRule at the Department level. Program specific rules have been reviewed for applicable electronic reporting language revisions. Tennessee Rule 0400-40-05 (applicable to NPDES Individual Permits) and Tennessee Rule 0400-40-10 (applicable to NPDES General Permits) has been revised to incorporate the necessary electronic reporting language as well as other programmatic changes. These Rules are currently in the rulemaking process

and were adopted by the Tennessee Board of Water Quality, Oil and Gas on April 20, 2021. Additional steps of this process include a review by the Attorney General's Office, State Legislative Committee, and filing with the Secretary of State's Office. On July 22, 2021, the department hosted a public hearing regarding proposed changes to the pretreatment rules (Rule 0400-40-14) which includes clarification of eRule requirements. After the comments received have been addressed, these rules will continue through the rulemaking process.

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

In this section, describe the agency's temporary and/or permanent waiver approval processes and criteria for granting waivers. Please include any current practices as well as future processes. If a waiver is granted, it is the responsibility of the regulatory agency to insure all Appendix A data received in paper format is shared with EPA in electronic format.

TDEC currently has a waiver approval process in place via a NPDES Electronic Reporting Waiver Request form that is housed on TDEC's website and available at all local environmental field offices. By submitting this form, a facility, entity, or permittee may request a permanent or temporary waiver. Permanent waivers are only available to facilities and entities owned or operated by members of religious communities that choose not to use certain modern technologies (e.g., computers, electricity) and is not transferrable. Temporary waivers from electronic reporting may be granted for any duration, not to extend beyond five years. A temporary waiver may be renewed at the end of the waiver term and is not transferrable. TDEC may approve a temporary waiver based on one of the following reasons:

- 1) The facility currently does not have internet access and/or is physically located in a geographic area that is identified as under-served for broadband internet access. The requestor may provide an applicable map of broadband service and additional documentation, if applicable.
- 2) Electronic reporting of the monitoring data and reports would pose an unreasonable burden or expense to the facility. The requestor must provide additional documentation.
- 3) Other – The requestor must provide a brief statement regarding the basis for requesting a temporary waiver along with supporting documentation.

Requests must be submitted at least 120 days prior to the date the entity is required to begin reporting. Applying for a waiver does not guarantee approval. The waiver is not effective until receipt of written approval from TDEC's Division of Water Resources. Currently, TDEC has two active temporary waivers. Waiver data is recorded in WaterLog and electronically reported to EPA via the Department's exchange node.

8. Outreach and Training

In this section, summarize the outreach and training necessary to alert and educate NPDES regulated entities on how to utilize the agency's planned electronic reporting systems. Please include past, present and future information.

TDEC maintains a NPDES Electronic Reporting website to assist in communicating requirements, rollout efforts, and to provide user support to the regulated community. The website includes links to the rule, timelines applicable to the regulated community, updated user guides, and support contact information.

As TDEC works toward implementing the agency's MyTDEC Forms platform in full, it has and will continue to perform outreach to the regulated community to first communicate the changes that will take place and then to provide necessary training. TDEC has created a series of MyTDEC Forms user guides for the regulated community that are available on its website and from within the MyTDEC Forms system. TDEC provides ongoing account support and assistance for both MyTDEC Forms and NetDMR.

9. Alternative Options

In this section, summarize alternative options for converting to electronic reporting (e.g., utilization of EPA services and systems like NetDMR, NeT, or buying a Commercial Off-The-Shelf (COTS) system.) (This is a "Plan B" in case there are issues with implementing your "Plan A".)

In the event the planned obligations are not met as outlined above, TDEC will promptly consider the utilization of EPA services as they become available. In determining the level of effort associated with each online service necessary to achieve compliance with Phase 2, TDEC will assess its progress on a regular basis to decide whether it will continue internal development or move toward the EPA services and systems.

10. Obstacles to Rule Implementation

In this section, describe any potential obstacles to e-reporting your agency anticipates, and discuss plans for overcoming these obstacles

TDEC has largely met the requirements of the eRule. The remaining tasks to attain full compliance are to 1) complete rollout to the public of all fully developed forms, and 2) to develop data exchange capability from WaterLog to ICIS-NPDES when all data elements become available in the ICIS-NPDES schema. The obstacle to achieving a full rollout is staffing resources, although, with the eRule extension in place, TDEC believes it can reach this goal by December 2025. The obstacle to achieving full data sharing with EPA is that many of the required data elements are currently absent from the ICIS-NPDES schema. Once these elements become available, TDEC will work alongside Windsor Solutions to incorporate those elements into our OpenNode2 exchange processes. A date for this completion cannot be estimated as it is reliant on EPA's efforts.

11. Implementation Plan Reassessment

In this section, identify the circumstances when the agency will contact EPA regarding a possible reassessment of this Implementation Plan. This cooperative discussion between EPA and the agency is intended to help evaluate all options for ensuring that the agency will be able to continue working towards complying with the E-Reporting Rule.

TDEC will reassess the implementation plan on an annual basis and submit updates to the EPA, as needed. TDEC appreciates the opportunity to reassess the implementation plan as it works toward achieving full compliance with the NPDES Electronic Reporting Rule, to adjust timelines as needed based on funding and staff capacity, and to continuously reassess the priorities as they are outlined herein.