



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 10**

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WATER DIVISION

**MEMORANDUM**

**SUBJECT:** Roles and Responsibilities for Region 10's Usage of the NPDES Electronic Reporting Tool ("NeT") for Municipal Stormwater (MS4) Permitting

**FROM:** Mathew J. Martinson, Branch Chief  
Permitting, Drinking Water, & Infrastructure Branch  
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**TO:** Jane Wallace, Acting Director  
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Office of Compliance

This memorandum documents the roles and responsibilities between Region 10 and the Enforcement Targeting and Data Division (ETDD) for developing and maintaining the National Pollutant Discharge Elimination System (NPDES) Electronic Reporting Tool (or "NeT") for individual municipal separate storm sewer system (MS4) permits issued by Region 10.

NeT is EPA's tool for electronically collecting NPDES MS4 program report data in support of the NPDES Electronic Reporting Rule (40 CFR part 127) ("NPDES eRule"). The NPDES eRule outlines required electronic reporting and sharing of NPDES program data, and requires regulated entities to report their information electronically, instead of filing written paper notices and reports, no later than December 23, 2025.

Region 10 has additional NPDES permits that will require additional agreements to be put in place for ETDD's NeT development assistance. The NeT platform to be developed and maintained under this agreement will address only Region 10 MS4 permit annual reports required by 40 CFR 122.34(d)(3).

Region 10's MS4 permit annual reports will collect the minimum set of data found in Appendix A of the NPDES eRule, as well as additional data required by Region 10 in permits issued to Department of Defense military facilities in Washington State and to regulated MS4s discharging in Indian Country. Region 10 will work with ETDD to determine the most viable solution (e.g., additional fields on electronic form(s), PDF attachment, paper form) to collect and record any data not included in Appendix A of the NPDES eRule.

The following sections outline the Region 10 and ETDD roles and responsibilities for different aspects of NeT development and maintenance. Duration, modification, and termination of this memorandum is addressed at the end of this document.

## **Region 10 Roles and Responsibilities**

Region 10 intends to provide adequate resources and staff to deliver or perform the following activities listed below.

The primary point of contact will be the Municipal Stormwater Permit Coordinator in the Region 10 Permitting, Drinking Water, and Infrastructure Branch. Other Region 10 staff may also be called upon to assist as needed with these responsibilities.

### Permit Review

- Identify data to be included in each electronic submission, dependencies between form questions or sections and the related rules, dependencies between general permit forms and permit requirements (e.g., effluent limits), and schedules or dates for each submission.
- Ensure any new permit has clear, well described reporting requirements.
- Make any minor modifications to already issued permits necessary to adopt the electronic reporting solution.
- Work with ETDD to clearly describe the permit requirements and review process (if any) for permit coverage approval.
- Identify cases where a permit requires non-Appendix A data elements for a discussion on the best approach on capturing these data elements.
- Specify any events that may result in a modification of monitoring requirements, particularly, but not limited to, instances where the monitoring requirements should be changed through a specific electronic submission.
- Avoid referencing a specific technology implementation solution or electronic reporting application in permit language.
- Identify where a paper submission should be sent from regulated entities/facilities.
- Consult with ETDD early in the permit modification or development process if any questions or concerns arise regarding electronic reporting.

### NPDES Electronic Reporting Requirements Development

- Participate in teleconferences or meetings with ETDD staff to describe, document, and confirm requirements for MS4 program reports. This includes any requirements necessary for Region 10's approval or review of these documents (e.g., public notice requirements, approval routing).
- Identify requirements for the electronic reporting of any other information for individually permitted facilities.
- Assist ETDD, as needed, with the development and review of user stories, which are used by IT developers to implement the requirements.

### Electronic Reporting Solution

- Contribute to the development and implementation of a testing protocol for the reporting solution.
- Complete required testing as requested by ETDD, which might include coordinating testers, gathering results, reconciling results, and providing feedback.
- Assist with engaging external users (e.g., MS4 permittees), as appropriate, to assist with testing the reporting solution.

- Report all NPDES data that supports electronic reporting (e.g., permitting, compliance monitoring, compliance determinations, and enforcement activities) to EPA's national NPDES data system three months prior to the electronic reporting start dates in Table 1 in 40 CFR 127.16(a) and maintain updates thereafter. Reporting will be timely, accurate, complete, and consistent (see 40 CFR 127.23).

### Customer Support and Training

- With ETDD training and assistance, develop and maintain expertise on using all aspects of the reporting solution.
- Jointly develop with ETDD outreach and training materials that inform regulated entities of their obligation to report electronically, provide information on how to report electronically, and identify outlets for the material.
- Develop documentation, help content, FAQs, and any additional guidance specific to implementation of the permit or program report as it relates to electronic reporting that can be posted on a public website.
- Provide training using material jointly developed with ETDD to permittees with the goal of minimizing ETDD support.
- Identify the individuals (primary and a backup) who will be providing customer support to resolve any issues that cannot be resolved by the NPDES eReporting Help Desk or ETDD staff and provide their contact information to ETDD.
- Provide timely Tier II customer support, which includes, for example, permit clarification or interpretation, questions about form content, and compliance assistance needed when filling out the form or program report. Requests for Tier II support will be forwarded to Region 10 by the NPDES eReporting Help Desk or ETDD staff using a customer relations management tool.
- Respond to Tier II NPDES eReporting Help Desk customer support requests by either updating the NPDES eReporting Help Desk ticket generated to capture the customers inquiry or responding via e-mail, as appropriate, in a timely manner.
- Review and approve, as appropriate, any requests by a regulated entity for the necessary roles and permissions to access structures, features, permits and functions in the reporting application in an expedited manner.
- Communicate to ETDD as expeditiously as possible any issues identified with the electronic reporting tool that Region 10 cannot address by documenting the issue via e-mail to the NPDES eReporting Help Desk using NPDESeReporting@epa.gov.

### Change Management.

- Provide notice to ETDD of any necessary changes to the electronic reporting tool six months prior to expected implementation (e.g., changing requirements during the individual permit renewal, changes to program report submission requirements), or, if six months notification is not practicable, as soon as possible.

### General

When requested by ETDD, make available Region 10 staff in the following areas:

- NPDES permit writing,
- Clean Water Act enforcement,
- Information technology/data management, and

- Customer relations management.

## **ETDD Roles and Responsibilities**

It is our understanding that ETDD intends to provide adequate resources and competent staff to deliver or perform the following for each activity listed below.

### Permit Review

- Advise on electronic reporting matters related to the permit or program report.
- Utilize a liaison between the Region 10 subject matter experts and IT developers.
- Work collaboratively with Region 10 to clarify reporting requirements for the permit.
- Recommend permit minor modifications needed to utilize the national reporting solution. Provide model permit language that can be used to incorporate electronic reporting requirements into the general permit. See: <https://www.epa.gov/compliance/npdes-ereporting-information-and-resources-authorized-programs>.

### NPDES Electronic Reporting Requirements Development

- Consult with Region 10 to develop permit or program report requirements for electronic reporting to include both data and business requirements.
- Convert permit or program report requirements to user stories for IT development.
- Keep Region 10 apprised of the development progress, including the completion of identified and agreed upon milestones.

### Electronic Reporting Solution

- Work with Region 10 to develop a schedule for deployment in line with Region 10's permitting schedule (e.g., to have NeT available prior to the effective date of the general permit) and resource availability.
- Assign appropriate resources to meet the agreed upon deployment schedule. If ETDD will be unable to meet the scheduled deployment date, Region 10 will be notified at least sixty days prior to the scheduled deployment date, or, if a sixty-day notice is not practicable an alternative schedule will be proposed as soon as practicable. ETDD will work with Region 10 to finalize any alternative deployment schedules.
- Work with Region 10 staff to develop a testing protocol, which will clearly identify any user acceptance criteria, the schedule for testing, how to test, and how to provide feedback to ETDD. At times, testing may occur concurrently with the tool development.
- Inform Region 10 of any contingency plan in place to ensure regular and continuous operation of the electronic reporting solution. The contingency plan will address scenarios that could result in a disruption of operations. It can be expected that the plan will include notification, recovery and reconstitution phases.
- Secure the integrity of the electronic reporting tool through the maintenance of a firewall.
- Ensure access to any Copy of Record (COR). According to 40 CFR 3.3, a COR is a true and correct copy of an electronic document received by an electronic document receiving system, which can be viewed in a human-readable format that clearly and accurately associates all the information provided in the electronic document with descriptions or labeling of the information.

## Customer Support and Training

- Train Region 10 staff to use NeT and the U.S. EPA's Central Data Exchange (CDX), to implement the role of the Regulatory Authority in the electronic reporting tool application, and to use the application from the perspective of the regulated entity. ETDD will provide one webinar-based training for the authorized NPDES program on their roles. Additional support and training materials will be posted on the *NPDES eReporting Tool (NeT) Help Center* web portal.
- Collaborate on the development of outreach material for regulated entities on their electronic reporting obligation and on how to electronically report.
- Collaborate on the development of training materials for regulated entities, including the format and delivery method. ETDD will support the authorized NPDES program on trainings for regulated entities as resources allow.
- Develop and make available documentation on IT and other technical/common system aspects.
- Make available a knowledgebase web portal for posting support materials available to the public, which is currently the *NPDES eReporting Tool (NeT) Help Center*.
- Staff the NPDES eReporting Help Desk Monday through Friday during normal business hours [8:00 a.m. to 5:00 pm (ET)] to provide timely Tier I customer support. Tier I support is generally the initial support level responsible for basic or routine customer issues like, for example, accessing and navigating the NeT application, checking on status of forms, and aiding with the signature process.
- Provide training to Region 10 on updating and managing NPDES eReporting Help Desk tickets.
- Maintain a customer relationship management tool to assist with managing customer support requests and/or inquiries received.
- Direct the NPDES eReporting Help Desk to elevate Tier II customer support requests defined above to the Region 10 Municipal Stormwater Permit Coordinator in accordance with standard operating procedures.
- Make available a user managed subscription service to be used to widely communicate information about the permit or electronic reporting tool.

## Change Management

- Consult with Region 10 on any plans to migrate, reconstitute, or otherwise significantly modify the structure of the information content, or access software for the electronic reporting solution, other than routine refreshing or updating of the resource.
- Maintain a list of desired changes identified by Region 10 and users after the tool is in production.
- Review and prioritize the list of requested changes on an on-going basis, keep the authorized NPDES program informed of any changes' status, and implement changes as resources are available.

## Data Access

- Make all e-reported data received available to Region 10 in a format defined by the project team that results in data access.

## **Duration/Modification/Termination**

- These roles and responsibilities will be reviewed by Region 10 and ETDD every five (5) years to determine whether they should be revised, renewed, or cancelled.

- Roles and responsibilities outlined in this memorandum may be amended at any time by the mutual written consent of the persons named in this memorandum.
- The roles and responsibilities in this memorandum may be terminated by either party by notifying the other party in writing 90 days in advance of the termination date. The contents of this memorandum and/or the intent of this agreement may be superseded by other agreements, in which case, Region 10 will notify ETDD that this agreement is nullified and can be terminated.

cc: Susan Poulson, Chief, NPDES Permitting Section, Region 10  
Michele Jencius, Chief, Surface Water Enforcement Section, Region 10